

# Town of Spring Lake

## **BOARD OF COMMISSIONERS**

Fredricka Sutherland, Mayor Pro Tem  
Tony Burgess, Commissioner  
Soña L. Cooper, Commissioner  
Jackie Jackson, Commissioner  
Adrian Thompson, Commissioner



CHARTERED IN 1951

## **OFFICE OF THE MAYOR**

Kia Anthony, Mayor

## **ADMINISTRATION**

Dennis English Jr., Interim Town Manager  
Carly Autry, Town Clerk  
Michael R. Porter, Town Attorney

## Board of Commissioners Work Session Meeting Agenda Monday, June 22, 2026 6:00 PM Grady Howard Conference Room

The public may view the live Board of Commissioners Meeting on the Town's YouTube Channel:  
[www.townofspringlake.com](http://www.townofspringlake.com)

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Reverend Candler
3. **ADDITIONS AND DELETIONS**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF CONSENT ITEMS**
  - a. Draft Minutes of June 8, 2026, Regular Meeting
  - b. Military and Veterans Affairs Advisory Committee Application – Reappoint Tim Baker
6. **PUBLIC COMMENTS (Limit 3 minutes per speaker)**
7. **PRESENTATIONS**
  - a. Update on Water Operations – John Cannon, Superior Utilities
8. **OLD BUSINESS**
  - a. Adoption of Interlocal PWC Agreement – Interim Town Manager Dennis English Jr.
  - b. Adoption of Overhills Park Sewer Agreement – Interim Town Manager Dennis English Jr.
9. **NEW BUSINESS**
  - a. **DEV-0046-26** – Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.
  - b. **DEV-0059-26** – Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.
  - c. **PLAT-0032-06** – Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.

- d. **DEV-0035-26 – Phase 3** – Richard Fagan, Planner II, Cumberland County Planning & Inspections Dept.
- e. **DEV-0066-26 – Phase 4** – Richard Fagan, Planner II, Cumberland County Planning & Inspections Dept.
- f. Budget Amendment (BA-25) FY2026 – Finance Director James Overton
- g. Budget Amendment (BA-26) FY2026 – Finance Director James Overton
- h. Budget Amendment (BA-27) FY2026 – Finance Director James Overton
- i. Budget Amendment (BA-28) FY2026 – Finance Director James Overton
- j. Adoption of TOSL Budget Ordinance for FY 2025-2026 – Interim Town Manager Dennis English Jr. & Mayor Kia Anthony
- k. Ordinance No. 2026-04; An Ordinance Declaring a Road Closure for First Friday on Main – Mayor Kia Anthony
- l. Discussion Regarding Revised Draft Policy 9. Purchasing Cards – Mayor Kia Anthony
- m. Discussion Regarding Revised Draft Policy 19. Code of Ethics for Board Members – Mayor Kia Anthony
- n. Mayor’s Report – Mayor Kia Anthony
- o. Board of Commissioners Report – Spring Lake Board of Commissioners
- p. Manager’s Report – Interim Town Manager Dennis English Jr.
- q. Town Attorney Report – Town Attorney Michael Porter

**10. CLOSED SESSION**

- a. Pursuant to NCGS §143-318.11(a)(1) – Confidentiality – Closed Session Minutes
- b. Pursuant to NCGS §143-318.11(a)(3) – Attorney-Client Privilege
- c. Pursuant to NCGS §143-318.11(a)(6) – Personnel

**11. ADJOURNMENT**

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

June 8, 2026

**MINUTES**

6:00 pm

The Town of Spring Lake Board of Commissioners held a Regular Meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Kia Anthony presiding.

**BOARD MEMBERS PRESENT:** Mayor Pro Tem Fredricka Sutherland  
Commissioner Tony Burgess  
Commissioner Sofia L. Cooper  
Commissioner Jackie Jackson  
Commissioner Adrian Thompson

**OTHERS PRESENT:**

Carly Autry, Town Clerk  
Dennis English Jr., Interim Town Manager  
Officer Charles Fernandez, Spring Lake Police Department  
Police Chief Errol Jarman, Spring Lake Police Department  
James Overton, Finance Director  
Fire Inspector Timothy Patterson, Spring Lake Fire Department  
Michael Porter, Town Attorney  
Fire Chief Jason Williams, Spring Lake Fire Department

**1. CALL TO ORDER**

Mayor Anthony declared a quorum and called the meeting to order.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Reverend Smith gave the Invocation and led the Pledge of Allegiance.

**3. ADDITIONS OR DELETIONS**

None

**4. APPROVAL OF AGENDA**

**Action:** Motion to approve the June 8, 2026, Regular Meeting agenda.

**Motion by:** Commissioner Thompson

**Second by:** Mayor Pro Tem Fredricka Sutherland

**Vote:** Unanimous

**5. APPROVAL OF CONSENT ITEMS**

**Action:** Motion to approve draft minutes of May 11, 2026, Regular Meeting, and draft minutes of May 26, 2026, Special Meeting.

**Motion by:** Mayor Pro Tem Fredricka Sutherland

**Second by:** Commissioner Cooper

**Vote:** Unanimous

## **6. PUBLIC COMMENTS**

Sean Brigner, Spring Lake resident, spoke about Lillian Black Elementary School. He mentioned that two (2) individuals had continuously discussed how the building had been essentially shut down and neglected for four (4) years. He noted that four (4) years ago, they had tried to sell it for \$750,000, and a family had offered to purchase it. Mr. Brigner expressed concern about the impact on Spring Lake residents and the building's condition.

Mary Jackson, Spring Lake resident, addressed the Board regarding priorities, accountability, and the message being sent to citizens. She expressed concern about whether the Board was focusing enough attention on solving real financial challenges through collaboration to increase revenue, attract businesses, strengthen economic development, improve budget practices, and identify long-term strategies to prevent layoffs and service reductions. Ms. Jackson emphasized that citizens expected thoughtful decisions about stabilizing the Town's finances so departments wouldn't be forced to carry the burden of financial shortfalls. She noted that every hour spent on distractions was an hour not spent developing plans to grow the tax base, recruit investments, support local businesses, and improve financial stability. She asked the Board to redirect energy toward the financial future of the Town and focus on solutions and restoring confidence in employees and residents.

Andrica Rhodes, Spring Lake resident, offered suggestions about the necessity of having a Capital Improvement Plan (CIP), describing it as a multiyear grant that identifies, prioritizes, and schedules public infrastructure and asset investments. She discussed various aspects of cash investments for cities and regions.

Bettye Sanford, Spring Lake resident, spoke about various concerns, including roads and poles laying on wires that needed repair. She expressed concerns about children's safety, noting that parents in the community were talking about people driving too fast, especially when parents were pushing children in strollers. She mentioned that when she had spoken to people about driving too fast, some had responded rudely. Ms. Sanford emphasized the need to do something before something serious happened in the community.

Jo Marinelli, Spring Lake resident, expressed concerns about meter reading in Spring Lake. She noted that she was not from the Town and questioned how the meter reading was conducted. She observed that when meter readers came to Dundee Lane, they only read three (3) meters on one end and two (2) on the other end before leaving, questioning how they could get accurate readings for billing. She mentioned bill fluctuations from \$40.00 one month to \$70.00 the next month without any changes in usage patterns, requesting an explanation for the community.

## 7. PRESENTATIONS

a. Certificates of Appreciation – Commissioner Adrian Thompson – Commissioner Thompson presented Certificates of Appreciation related to the Memorial Day celebration held on Friday, May 22, 2026, by the Military and Veterans Affairs Advisory Committee (MVAAC). She had certificates for CW5 (Ret) Wendy Ann Wayman and the National Anthem singer Ninnoshka Sharpe. Commissioner Thompson assured that both recipients would receive their certificates.

b. Hurricane Preparedness – Chini Gault, Emergency Management Planner I, Cumberland County Emergency Services – Ms. Gault presented on hurricane preparedness for the 2026 Atlantic hurricane season (June 1<sup>st</sup> through November 30<sup>th</sup>). She reported projections for the season:

- 55% probability of below normal season
- 35% probability of near normal season
- 10% probability of above normal season

For the below normal projection, they expected 8-14 named storms, 3-6 named hurricanes, and 1-3 major hurricanes. For comparison, a normal season would have 14 named storms, 7 hurricanes, and 3 major hurricanes.

Ms. Gault emphasized that the numbers weren't the most important factor, noting that Hurricane Helene caused significant damage in Western NC even though it had been downgraded from hurricane status. She explained that conditions prior to storms approaching were crucial, particularly rainfall that could saturate the ground before the main event, as occurred with Hurricane Florence and Hurricane Matthew.

Ms. Gault discussed three (3) key steps for preparedness: making a plan, building a kit, and staying informed. For planning, she stressed the importance of communication plans with family members, ensuring children knew full names, addresses, and phone numbers, and having backup contact methods. She recommended having emergency contacts both locally and out of town.

Regarding evacuation versus shelter-in-place decisions, Ms. Gault advised early evacuation when possible, noting that it only takes six (6) inches of water to sweep someone off their feet and 12 inches to move a car. She emphasized the importance of not putting first responders at additional risk during events.

For building emergency kits, Ms. Gault recommended at least three (3) days' worth of food and water, with special considerations for elderly relatives, children, pets, medications, formula, diapers, pet food, and livestock. She suggested starting small with kit building due to cost concerns, purchasing one item at a time.

Ms. Gault highlighted the importance of staying informed through local alert systems, specifically mentioning Cumberland Alerts, a free opt-in service that provides notifications for power outages, water outages, and weather alerts. She discussed their new access and functional needs registry for those requiring transportation or mobility assistance.

Ms. Gault stressed using only the National Weather Service for official weather information, noting that different weather services could provide conflicting data. She warned about misinformation, particularly AI-generated content that circulated during Hurricane Helene, which caused confusion and misdirected resources.

Ms. Gault reported on recent preparedness improvements in Spring Lake, including moving the emergency communication system from Seventy First High School to W.T. Brown Elementary School, working with the local ham radio club. She mentioned ongoing work on generator installation at the school and recent applications for Next Generation Warning System Grant funding for over half a million dollars to install evacuation sirens throughout the County.

Ms. Gault concluded by promoting CERT (Community Emergency Response Team) training, which covers first aid, light search and rescue, fire suppression, and more, available locally with classes offered throughout the County.

Mayor Anthony thanked Ms. Gault for the presentation and confirmed that CERT training could be provided locally in Spring Lake with a minimum of 10-15 participants.

Mayor Pro Tem Sutherland asked about the generator status at W.T. Brown, and Ms. Gault confirmed it was on the ground with installation in progress under a 365-day completion contract.

Commissioner Thompson requested contact information for scheduling CERT classes.

## **8. PUBLIC HEARINGS**

a. ZON-26-0023: Rezoning request from CD Conservancy District and C(P) Planned Commercial District to C(P) Planned Commercial District or to a more restrictive zoning district for four (4) parcels comprising approximately 4.02 acres; located west of N Bragg Blvd and 340 feet south of W. Manchester Road.; submitted by The Charleston Group and Tanner Postal Commercial Real Estate (Agents) on behalf of James and Pennapa Hinnant, Cynthia Goins, and Martha Harkins (Owners). – Richard Fagan, Planner II, Cumberland County Planning & Inspection Dept. – Mr. Fagan explained the intended development was a fast-food restaurant with drive-through and gas station. He described surrounding uses including residential, industrial, and commercial properties, with various zoning districts in the area.

Mr. Fagan noted that three (3) of the subject parcels contained vacant single-family dwellings while the fourth parcel was undeveloped. The property had no hydric soils and had water and sewer lines in close proximity. The elevation ranged from 156 feet in the north, sloping down to 144 feet in the southwest corner.

Mr. Fagan explained that the property sat within the Spring Lake Area Land Use Plan with commercial classification, but noted that portions of the parcels were located within APZ 1 (Accident Potential Zone 1) from Pope Airfield, approximately 7,500 feet from the airfield.

The Joint Planning Board (JPB) had recommended approval at their May 19, 2026, meeting, while staff recommended denial due to concerns about the APZ designation and consistency with adopted land use policies.

Mayor Anthony explained that RLUAC (Regional Land Use Advisory Commission) had provided an advisory recommendation for denial due to concerns about potential development in the conservation district area that coincided with the Tank Creek flood plain. The primary concern was any development or encroachment on the flood plain that could change hydrology and exacerbate upstream flooding issues at Pope Field.

Commissioner Jackson asked whether property owners were aware of concerns regarding the proposed development. Mayor Anthony explained that RLUAC had recommended denial as a precaution due to the potential for impacts to drainage and flooding associated with Tank Creek and nearby military property. She noted that the recommendation was advisory in nature and that the property is already zoned for the proposed use. Mr. Fagan confirmed that the property owners were aware of the concerns. Mayor Anthony further stated that Cumberland County staff had also recommended denial based on the same mapping information reviewed by RLUAC staff; however, the decision-making Board ultimately chose a different course of action, recognizing the property's existing zoning designation.

Mayor Pro Tem Sutherland questioned why Planning staff's recommendation differed if the Board understood the property was already zoned for the proposed use. Mr. Fagan explained that staff's recommendation to the JPB was based on several factors, including the land use policies contained in the Spring Lake Area Land Use Plan. He stated that the recommendation also considered correspondence from RLUAC, which identified the subject properties as being located within Accident Potential Zone 1 (APZ-1). Mr. Fagan noted that, due to the Town's longstanding relationship with RLUAC, staff incorporated those considerations into its recommendation.

Commissioner Cooper inquired about the rationale for staff recommendation versus JPB approval, noting the property was already zoned commercial. Mr. Fagan confirmed that portions of the property are already zoned Commercial Planned C(P) and stated that the applicant could develop those areas by right without including the CD Conservancy District portion of the property. He noted that this existing zoning was recognized as part of the review process.

Mayor Anthony declared the Public Hearing open for **ZON-26-0023**.

Mayor Anthony three (3) times called for any persons in favor regarding **ZON-26-0023**, which there was one (1).

Attorney Jonathan Charleston, representing the applicants, noted that federal, state, and local entities all had input in the process, particularly in areas near military installations. He explained that the accident potential zone was statistically similar to a 100-year flood zone – an event that statistically might not occur.

Attorney Charleston stated that the current process was problematic because private property owners could spend significant money on development plans without notice of APZ concerns, as there were no adopted APZ overlays in the Town or County Ordinances. He noted that wrong APZ standards were being applied (Air Force standards versus Army standards) and emphasized that the property's land use designation was commercial, encouraging such activity.

Attorney Charleston pointed out that other gas stations existed in the corridor and that the request simply aimed to bring all four (4) acres in line with the adjacent commercial district. He noted that any development would still require compliance with federal, state, and local permitting processes that would protect Tank Creek and existing rights.

Mayor Pro Tem Sutherland asked about the specific area of concern, and Mr. Fagan clarified the CD zoning district location within the property boundaries, explaining that the front portion along N. Bragg Blvd. was already zoned commercial while the back portion near Tank Creek had conservation district protection.

Attorney Porter summarized that the front road-frontage portions were already zoned commercial, while the back halves had protections due to the creek. He noted that based on staff and RLUAC concerns about the creek and potential aircraft incidents, staff recommended against approval, while the JPB recommended approval.

Commissioner Cooper expressed confusion regarding the zoning history of the property, stating that she recalled the area being a single parcel zoned for commercial use and questioned how a portion became zoned CD. Mr. Fagan stated that staff's zoning history research did not indicate that all four (4) parcels had been zoned C(P). He explained that the parcels were created by deed rather than through a recorded subdivision plat, which limited the available historical information. Commissioner Cooper then asked whether the storage units located behind the CD-zoned area were outside of the CD zoning. Mr. Fagan confirmed they were and stated that he was unable to explain why those properties were not included within the CD zoning district.

Mayor Pro Tem Sutherland asked about the size and extent of the waterway referenced in the discussion. Mr. Fagan stated that he was unable to provide the exact size or length of Tank Creek but believed a presentation slide contained an illustration of the area. Mr. Fagan then reviewed the slide and provided the Board with an overview of the illustrated information.

Commissioner Cooper stated that the flooding being discussed was largely associated with the failure of the Woodlake Dam in Moore County during a previous storm event, which resulted in significant downstream flooding. She further stated that the legislature had since provided funding for repairs to the dam and suggested that this was a primary factor in the severity of the flooding experienced at that time.

Mayor Anthony three (3) times called for any persons in opposition regarding **ZON-26-0023**, which there were none.

Mayor Anthony declared the Public Hearing closed for **ZON-26-0023**.

b. System Development Fees – David Honeycutt, Principal, McGill Associates, PA – Mr. Honeycutt stated that the System Development Fee (SDF) study was made possible through funding received as part of the Town's Asset Inventory and Assessment (AIA) Grant. He explained that the Grant-funded process allowed the Town to evaluate the option of implementing an SDF as a means of helping fund future water and sewer infrastructure improvements.

Dale Schepers from McGill Associates presented information about System Development Fees. He described System Development Fees as allowing municipalities to charge new connections for capacity available in water and sewer systems to support new development.

Mr. Schepers explained that the law required following American Water Works Association reference manual M-1 methodology, conducted by licensed professional engineers or financial firms. The process included a 45-day public comment period and Public Hearing before adoption.

Mr. Schepers noted that the Town had two (2) sources of value: existing assets providing current capacity and planned future assets for projected development. He emphasized that fees must be commensurate with the value of capacity that new development takes from the system, ensuring a rational nexus between costs and charges.

Mayor Anthony simplified the concept, explaining that System Development Fees make new developers pay for building infrastructure rather than relying on existing taxpayers for expansion costs, preventing taxpayer subsidization of new development.

Mayor Anthony declared the Public Hearing open for **System Development Fees**.

Mayor Anthony three (3) times called for any persons in favor regarding **System Development Fees**, which there were none.

Mayor Anthony three (3) times called for any persons in opposition regarding **System Development Fees**, which there were none.

Denise Ayers-Dunkley, Wapiti Drive, sought clarification that the fees would prevent the community from having to pay for new development infrastructure, which Mayor Anthony confirmed.

Mayor Anthony declared the Public Hearing closed for **System Development Fees**.

c. TOSL FY2026-2027 Budget – Interim Town Manager Dennis English Jr. – Mr. English presented the proposed budget totaling \$10.2 million. He outlined his vision to restore fiscal stability, strengthen public trust, and position Spring Lake for success. Key priorities included:

- 3.8% cost of living increase for employees
- Unfreezing police positions to strengthen public safety
- No water rate increases
- No property tax increases

Mr. English presented revenue breakdown showing ad valorem property tax at 55% and Department of Revenue sales tax at 26% as the highest revenue sources. For expenditures, public safety represented 60% of spending, general government 20%, and transportation 10%.

Mr. English discussed infrastructure priorities based on asset inventory, focusing on critical water infrastructure needs including valve restorations, water tank improvements, and backup power systems. He displayed a 60-year-old pipe sample removed from the ground as an example of aging infrastructure needing replacement.

The presentation covered capital outlay requests from departments, including HVAC repairs, police vehicle replacements (6 Dodge Durangos), and various equipment upgrades totaling significant investments in transportation and equipment.

Mr. English outlined future outlook priorities including protecting financial health, monthly budget reviews with Commissioners, enhanced economic development capacity, housing opportunities to address blight, and commitment to transparency and stewardship with regular audit progress meetings.

Mayor Anthony asked about unfreezing police positions and maintaining water rates. Mr. English explained that pulling back from the 911 Operations Agreement with Cumberland County, based on state law changes, freed up funding for police positions. For water rates, he noted conservative financial management and the Manchester Fire Agreement helped avoid rate increases, though the PWC agreement was still under negotiation.

Commissioner Cooper asked about competitiveness of fire and police compensation. Mr. English confirmed they provided equitable cost of living increases across the board, particularly for employees who hadn't received raises in the last three (3) years.

Commissioner Cooper inquired about County payments for Recreation Center use. Mayor Anthony explained the County was still discussing parks and recreation system overhaul with Fayetteville. She highlighted that the Manchester Fire District was now fully funded by the County at \$830,000, removing the burden from Spring Lake residents while ensuring fire protection for Bragg Estates and Overhills Park.

Commissioner Cooper asked what percentage of property taxes had been collected for the current fiscal year. Mr. Overton, from the audience, stated that the Town's property tax collection rate was approximately 99%.

Mayor Anthony declared the Public Hearing open for **TOSL FY2026-27 Budget**.

Mayor Anthony three (3) times called for any persons in favor regarding **TOSL FY2026-27 Budget**, which there was one (1).

Juanita Bonds, Milton Street, expressed happiness with no water rate or property tax increases. She mentioned continuing concerns about cellphone policies but overall supported the budget and thanked the Board for their hard work.

Mayor Anthony three (3) times called for any persons in opposition regarding **TOSL FY2026-27 Budget**, which there were none.

Mayor Anthony declared the Public Hearing closed for **TOSL FY2026-27 Budget**.

## 9. OLD BUSINESS

a. Discussion Regarding Draft Policy 43. Cellular Phones for Elected Officials – Interim Town Manager Dennis English Jr. – Mr. English reported that the process was essentially complete, with phones received from the Clerk. He noted that employees, including the Police Chief, had made requests for phones due to public records concerns when conducting public business on personal devices. Mr. English explained that staff phones fell under his decision-making authority as Town Manager, while Board members had the option to choose between the One Talk app or actual cellular phones.

Mayor Anthony clarified that this policy was specifically for the Governing Body, establishing clear options for how Commissioners choose to receive communications. She emphasized that as a government body, they should operate by policy, statutes, and Ordinances rather than wants and needs.

Mayor Pro Tem Sutherland expressed satisfaction with the current arrangement, noting the cost savings for refurbished phones versus \$50.00 allowance, and questioning why policies weren't in place when phones were previously used by Board members.

Mayor Anthony explained that several policies needed updating, and cellphone policy was lower priority when they planned to move away from devices, but proper policy was needed if returning to them.

**Action:** Motion to adopt draft Policy 43. Cellular Phones for Elected Officials.

**Motion by:** Commissioner Cooper

**Second by:** Commissioner Thompson

**Vote:** 2-3 Motion Failed; **Nays:** Mayor Pro Tem Sutherland, Commissioner Burgess, and Commissioner Jackson

**Please note:** Commissioner Cooper made a motion to adopt the draft policy. Commissioner Thompson seconded the motion. During the vote, Mayor Anthony called for those in favor. Following initial responses, Mayor Anthony requested clarification from Commissioners who had not indicated an affirmative vote. Upon clarification, Commissioner Burgess recalled his vote from "aye" to "nay." The motion failed by a vote of 2-3.

b. Consideration of Next Steps in the Town Manager Recruitment Process – Commissioner Jackie Jackson – Commissioner Jackson requested that the Board begin moving forward with Town Manager recruitment procedures and starting the application process. Mayor Anthony agreed but noted they needed to update the salary and job description before opening the position.

Mayor Anthony suggested calling a Special Meeting to thoroughly review the process, update descriptions and compensation, rather than rushing through the process during the current lengthy meeting. She

requested Board members send available dates to the Clerk for scheduling a Special Meeting within the next week.

c. Discussion Regarding Draft Interlocal PWC Agreement – Interim Town Manager Dennis English Jr. – Mr. English reported they were not yet at agreement with the Public Works Commission (PWC). He emphasized the importance of predictability in water supply and ensuring room for growth, given capacity restrictions they must not exceed. Mr. English indicated he would return to the Board with an agreement for their consideration and vote, potentially including PWC participation in discussions to ensure informed decision-making.

Mayor Anthony supported taking time to be thorough rather than rushing into an inadequate agreement, noting the complexity of the document.

## 10. NEW BUSINESS

a. ZON-26-0023: Rezoning request from CD Conservancy District and C(P) Planned Commercial District to C(P) Planned Commercial District or to a more restrictive zoning district for four (4) parcels comprising approximately 4.02 acres; located west of N Bragg Blvd and 340 feet south of W. Manchester Road.; submitted by The Charleston Group and Tanner Postal Commercial Real Estate (Agents) on behalf of James and Pennapa Hinnant, Cynthia Goins, and Martha Harkins (Owners). – Mayor Kia Anthony – This agenda item was part of the Public Hearing discussion in agenda item 8a.

**Action:** Motion to approve ZON-26-0023 Rezoning request from CD Conservancy District and C(P) Planned Commercial District to C(P) Planned Commercial District or to a more restrictive zoning district for four (4) parcels comprising approximately 4.02 acres; located west of N Bragg Blvd and 340 feet south of W. Manchester Road.; submitted by The Charleston Group and Tanner Postal Commercial Real Estate (Agents) on behalf of James and Pennapa Hinnant, Cynthia Goins, and Martha Harkins (Owners).

**Motion by:** Commissioner Burgess

**Second by:** Commissioner Cooper

**Vote:** Unanimous

b. Ordinance 2026-3; To Adopt System Development Fees for Water and Sewer to the Rate and Fee Schedule for the Town of Spring Lake, NC Pursuant to NCGS §162A – Mayor Kia Anthony – This agenda item was part of the Public Hearing discussion in agenda item 8b.

**Action:** Motion to approve Ordinance 2026-3; To Adopt System Development Fees for Water and Sewer to the Rate and Fee Schedule for the Town of Spring Lake, NC Pursuant to NCGS §162A.

**Motion by:** Commissioner Cooper

**Second by:** Commissioner Thompson

**Vote:** Unanimous

c. Resolution 2026-12; Adopting Cumberland-Hoke Regional Hazard Mitigation Plan – Mayor Kia Anthony – Mayor Anthony noted this was an updated version of a plan Spring Lake had participated in for some

time, with no significant changes observed. She recommended approval, noting that Chini Gault was available for questions, but no Board members had questions.

**Action:** Motion to approve Resolution 2026-12; Adopting Cumberland-Hoke Regional Hazard Mitigation Plan.

**Motion by:** Commissioner Cooper

**Second by:** Commissioner Thompson

**Vote:** Unanimous

d. Budget Amendment (BA-24) FY2026 – Finance Director James Overton – Mr. Overton explained the budget amendment totaling \$50,612. The amendment included \$612.00 payment in lieu of taxes from the State of NC for fire protection services, as the state is tax-exempt. Additionally, Cumberland County provided \$50,000 for equipment and furniture for Manchester Fire Station as part of their new agreement. The funds would purchase furniture, equipment, pay fire department overtime, and establish internet service at the station.

Commissioner Jackson inquired whether the list under discussion included the \$35,000 needed for the new fire station. Mr. Overton confirmed that it did and stated that the funding would come from the previously referenced \$50,000 allocation.

**Action:** Motion to approve Budget Amendment (BA-24) FY2026.

**Motion by:** Commissioner Jackson

**Second by:** Commissioner Thompson

**Vote:** Unanimous

Mayor Pro Tem Sutherland asked about disposition of furniture and equipment from the closed fire station, requesting documentation if items were placed on GovDeals for transparency and fiscal responsibility.

e. Discussion Regarding Draft Overhills Park Sewer Agreement – Interim Town Manager Dennis English Jr. – Mr. English presented a memorandum of understanding with Overhills Park Water and Sewer District. He explained the Board had previously agreed that the existing sewer rate of \$6.25 was too low. After renegotiation, the new rate would be \$9.00 per 1,000 gallons effective July 1, 2026, for a five-year term.

Mr. English requested authority to sign the Memorandum of Understanding (MOU), noting the County would later provide an actual agreement for Board consideration.

Commissioner Cooper sought clarification on the rate structure changes, which Mr. Overton approached the podium and confirmed addressed both water and sewer components separately.

Mr. Overton provided detailed explanation of the rate structure changes. He clarified that water and sewer were separate agreements – water rates increased from \$4.62 to \$5.59 per thousand gallons due to PWC rate increases. For sewer, the County had refused to pay doubled outside rates that increased their bill from \$6,000 to \$18,000 monthly.

The negotiated agreement for 2026 maintained the \$9.25 per household minimum charge while increasing the per-gallon charge from \$4.00 to \$6.25, resulting in approximately \$11,000 monthly bills.

For 2027, the per-gallon charge would increase to \$9.00 with elimination of the per-household minimum charge. However, the County would assume full responsibility for pump station and sewer line maintenance, with Spring Lake's revenue decreasing to about \$27,000 annually while eliminating maintenance responsibilities.

f. Letters to the Attorneys Regarding FY2021-2022 Audit – Interim Town Manager Dennis English Jr. – Mr. English expressed gratitude for receiving letters from both Attorneys needed for audit completion. He planned to meet with auditors the following day to assess current status and schedule presentations, with the audit team expected to present at the next Board meeting on Monday, June 22, 2026, as requested.

Mayor Anthony publicly acknowledged Mr. Overton's extensive work digging through years of financial reports to reach this point, recognizing the difficulty of the audit process.

g. Discussion Regarding Draft Policy 44. Public Records Request Policy – Commissioner Jackie Jackson – Commissioner Jackson explained her motivation for the policy, noting concerns about public records requests requiring personal phones to be turned over to the Clerk. She worried about the personal nature of reviewing phones to separate personal versus business communications.

Commissioner Jackson suggested that HR handle personal phone reviews due to their confidentiality training and recommended providing replacement phones to employees while their devices were being reviewed. She noted that social media, including Facebook posts and responses related to Town business, could also be subject to public records requests.

Commissioner Cooper raised concerns regarding a public records request she submitted on April 21, 2026, and inquired about the status of the request. Commissioner Jackson stated that she had concerns regarding the manner in which the request was submitted and her understanding of the procedures applicable to public records requests made by Board members. She noted that some aspects of the request appeared to involve matters that would require Board consideration and stated that Board members cannot individually direct staff actions.

Commissioner Cooper responded that she had consulted with Attorney Porter and maintained that the records she requested were public records that could be requested by any citizen or Board member. Attorney Porter stated that, to the best of his recollection, most of the records requested would likely qualify as public records and indicated that the primary concern appeared to relate to the procedure used in submitting the request rather than the records themselves. Attorney Porter further stated that the request should be processed and completed. Commissioner Cooper reiterated her position that the requested records were allowable under the public records law and that Board approval was not required to request them.

Commissioner Thompson stated that, if the Board intended to move forward with policy revisions, it should review and update all applicable policies to ensure clarity regarding responsibilities and

procedures. She stated that following established policies would help avoid future questions or confusion. Commissioner Thompson also noted her understanding that some of the duties being discussed were currently included within the Clerk's job responsibilities and suggested that any changes to those responsibilities would require corresponding updates to policies and procedures.

Attorney Porter supported having clear policies and procedures to eliminate discussion and frustration, noting that public records requests in the digital age required proper handling.

Mayor Pro Tem Sutherland supported updating policies but emphasized they should be tailored to Spring Lake specifically. She agreed with Commissioner Jackson about the need for proper policies and procedures.

Mayor Anthony expressed concern about the Board's approach to adopting policies, noting that the Board had declined to adopt one policy while considering the creation of another. She stated that policies provide governance and direction not only for the current Board but also for future Boards. Mayor Anthony emphasized that, as a Governing Body, the Board should operate in accordance with established policies, Ordinances, and applicable laws. She further stated that clear policies help prevent confusion and conflict and observed that the matter under discussion had become a source of disagreement among Board members.

Mayor Anthony also expressed concern about provisions in the draft policy that assigned responsibilities to the mayor, particularly requiring mayoral approval for requests taking over two (2) hours of staff time. She stated this was outside the mayor's jurisdiction and belonged with the Town Manager for day-to-day operations.

Commissioner Jackson clarified with the Attorney about who must fulfill public records requests and payment requirements for extensive requests. Attorney Porter explained that statutes were vague about specific individuals responsible but noted that abnormal costs could be charged for extensive requests requiring significant staff time.

The discussion reflected differing perspectives regarding a specific public records request, with various Board members expressing views on proper procedures and authority. Commissioner Cooper maintained her right to make requests as both a citizen and Board member, while others questioned the appropriateness of certain requests.

Mayor Anthony noted the contradiction between voting against a cellphone policy for governance while creating a public records policy, emphasizing that as a governing body, everything should be spelled out by law and policy.

Commissioner Jackson asked whether state law or Town policy specifically requires the Clerk to process public records requests. Attorney Porter responded that the public records statutes generally require records to be provided but do not specify the particular individual within a governmental entity responsible for fulfilling requests. Commissioner Jackson then asked whether assistance from HR in

processing records requests would be appropriate, and Attorney Porter indicated that the statutes do not prescribe a specific employee for that role.

Commissioner Jackson also inquired about costs associated with public records requests. Attorney Porter stated that routine requests involving minimal copying are generally not charged, though larger or more complex requests may involve additional considerations.

Commissioner Jackson expressed concerns regarding requests involving records from personal devices, noting the need to distinguish personal communications from public records and to protect employee privacy. She stated her preference that such reviews be conducted by an independent party to avoid potential conflicts and to ensure personal information is appropriately separated from records subject to disclosure.

Attorney Porter stated that public records requests involving private devices can present challenges in distinguishing public records from private communications. He noted that while the use of private devices for public business is not uncommon, a process must be established to determine what information is subject to disclosure. Attorney Porter acknowledged concerns regarding potential discomfort or conflicts that could arise when Town staff review records belonging to other Town officials or employees. He stated that it is the Board's responsibility to establish a policy or designate an appropriate individual to handle such reviews.

Regarding potential costs, Attorney Porter explained that the expense of producing records could not be determined until the scope of the requested data is known. He emphasized that regardless of the Board's chosen approach, the public records request must be addressed. Attorney Porter advised the Board to develop procedures that protect private communications while ensuring compliance with public records laws and to identify and address any significant costs in accordance with applicable statutes.

Commissioner Cooper stated that NC General Statutes govern the Town's actions and emphasized that records related to Town business are public records. She noted that the Clerk serves as the custodian of records and has received training related to records management. Commissioner Cooper expressed concerns regarding the status of a public records request she submitted on April 21, 2026, and stated her belief that the request should have been processed in accordance with applicable law.

Mayor Pro Tem Sutherland objected to comments suggesting opposition to the request and stated that she supported the public records request being handled in the same manner as any citizen request. She emphasized the need for a social media policy addressing the use of social media in relation to Town business and expressed concerns regarding allegations that information discussed in Closed Session may have been communicated through social media or other electronic means. Mayor Pro Tem Sutherland stated that the Board should ensure compliance with applicable laws and policies governing public records, social media use, and Closed Session confidentiality. She also expressed concerns about certain records requests involving the Interim Town Manager and stated her opinion that Town officials should be treated consistently. She concluded by stating that the public records request should be processed while the Board continues discussions regarding related policies and procedures.

Commissioner Jackson stated that previous discussions regarding the matter had occurred in closed session and expressed concern that the current discussion appeared inconsistent with the direction previously discussed. She stated that she was confused by the differing approaches and requested that the matter be discussed again in closed session to clarify the Board's prior direction and determine how to proceed.

Mayor Anthony agreed that further discussion in closed session would be appropriate. Mayor Anthony stated that the Board should revisit the matter, develop a clear plan for responding to the public records request, ensure that privacy concerns are addressed, and establish a path forward regarding related policies and procedures. Mayor Anthony stated that a closed session item would be added to a future agenda for further discussion.

h. Mayor's Report – Mayor Kia Anthony – First, Mayor Anthony thanked the fire department for their exceptional care during a recent medical incident, who insisted she wait for the ambulance rather than attend Lunch with the Mayor. Second, Mayor Anthony provided background on Lillian Black Elementary School, explaining it was part of a feasibility study with UNC Chapel Hill graduate students in city management and planning. The study served dual purposes: providing students real-world experience and giving Spring Lake data on the building's value and potential uses. She emphasized that Spring Lake had no authority over Lillian Black decisions. Regarding the potential \$1.00 sale transfer to Cumberland County, Mayor Anthony expressed concerns about ongoing maintenance and liability costs. Based on the feasibility study, the building would require significant investment that Spring Lake couldn't afford while addressing infrastructure needs. She had discussed the situation extensively with the County and private developers interested in public-private partnerships. Mayor Anthony planned to ensure Lillian Black received historic marker designation to preserve external aesthetics while allowing interior changes. She noted the initiative became political but they had re-engaged with developers working directly with the County while keeping Spring Lake involved. She emphasized that final decisions rested with the School Board and County. Third, Mayor Anthony reported on pursuing Defense Community Infrastructure Program (DCIP) funding, with maximum available funding of \$20 million for infrastructure repairs due to Fort Bragg connections. Mayor Anthony discussed working with the Interim Town Manager to identify projects maximizing the funding, noting it represented only a portion of their \$80 million total infrastructure needs. Fourth, Mayor Anthony praised the Memorial Day Ceremony and thanked MVAAC for honoring soldiers, veterans, and families. Fifth, Mayor Anthony shared a letter from the Garrison Commander requesting community support for opening Fort Bragg's private amenities (gym, PX, recreation centers, bowling alley, movie theater) to the public. The request required community endorsement letters showing support for the initiative. Mayor Anthony explained the access process would require Real ID or Military ID, with easy online day passes and facial recognition systems eliminating physical cards. She saw this as a valuable asset providing shorter commutes to entertainment and fitness amenities. Last, Mayor Anthony announced the rescheduled "Lunch with the Mayor" at Rice, Roots & Rolls on Wednesday, June 24, 2026, at 12 noon, praising the restaurant's spectacular food and friendly owners.

i. Board of Commissioners Report – Spring Lake Board of Commissioners – First, Mayor Pro Tem Sutherland applauded Mr. English and Board colleagues for extensive budget work, noting their consideration for the community regarding water and tax rates. She emphasized their commitment to preventing rate increases that had occurred over the previous four (4) years. Second, Mayor Pro Tem Sutherland praised Town

employees for their service and dedication, particularly thanking the fire department for their emergency response and Mr. Overton for his financial expertise in managing budget constraints and completing audits. Third, Mayor Pro Tem Sutherland expressed gratitude for receiving the Attorney letters enabling audit progress and noted their commitment to weekly meetings with auditors. Fourth, Mayor Pro Tem Sutherland shared her vision of working as a team, emphasizing their success in avoiding water bill and tax increases while providing cost-of-living increases and raises to employees who hadn't received increases previously. Fifth, Mayor Pro Tem Sutherland announced plans to implement monthly P-card/credit card reports for transparency in taxpayer dollar expenditures, as requested by State Auditors. Last, Mayor Pro Tem Sutherland expressed appreciation for the opportunity for Board members to refocus and continue working together for the benefit of the community. She emphasized the importance of maintaining a focused agenda and stated that she preferred to work collaboratively rather than encourage negative commentary about fellow Board members. Mayor Pro Tem Sutherland encouraged continued cooperation among the Board and thanked her colleagues for their work and progress on the budget.

First, Commissioner Thompson congratulated 2026 Spring Lake graduates. Second, Commissioner Thompson reminded the community about summer meal programs at three (3) locations: Recreation Center (11:00-11:20 am), Spring Lake Library (11:50 am-12:10 pm), and Mendoza Park (12:40-1:00pm), operating daily except Fridays from June 1, 2026, possibly through end of July 2026. Third, Commissioner Thompson praised the moving Memorial Day Ceremony speech and thanked participants. Last, Commissioner Thompson reported on a community cleanup effort involving herself and three (3) others, noting the lack of community volunteers, and encouraged public participation in improvement efforts.

First, Commissioner Jackson expressed hope that if the County purchased Lillian Black Elementary for one dollar (\$1.00), they would prioritize rebuilding it as a school. Second, Commissioner Jackson reported on her productive visit to the State Auditors' office, noting their welcoming reception and willingness to provide ongoing assistance. She appreciated the Auditors' suggestion for monthly P-card and bank case reviews and felt encouraged by their support for Board involvement in ensuring proper audit procedures. She confirmed plans to return for additional guidance and knowledge.

First, Commissioner Burgess acknowledged ongoing work on housing and yard maintenance issues. He explained that property maintenance required following proper policies and procedures, involving the Police Chief, Interim Town Manager, and other officials. Commissioner Burgess emphasized that immediate action wasn't possible due to required processes but assured progress was being made. Last, Commissioner Burgess thanked Mr. English for his hard work during challenging circumstances and expressed appreciation for Mayor Anthony's efforts.

First, Commissioner Cooper reported that she attended a County meeting regarding the Area Agency on Aging (AAA). She stated that she planned to share information about available programs and resources to help ensure Spring Lake residents, particularly senior citizens, are aware of services available to them. Commissioner Cooper noted that some programs currently have waiting lists. Second, Commissioner Cooper announced her son's graduation with a Bachelor's Degree in English. Third, Commissioner Cooper expressed concerns about communication and teamwork, noting she hadn't been informed about trips to the Auditors or other updates. She emphasized that the Board should function as one unit with everyone informed about activities, as actions reflect on the entire Board. Last, Commissioner Cooper requested that Board members follow the strategic plan's focus group assignments, particularly regarding blight issues assigned to Focus Group 3, expressing concern about overstepping boundaries and requesting adherence to established procedures for respectful collaboration.

j. Manager's Report – Interim Town Manager Dennis English Jr. – First, Mr. English reported that the Defense Community Infrastructure Program (DCIP) funding submissions are due June 16, 2026, and he is working with Mayor Anthony on scope of work development. Second, Mr. English provided project updates including near completion of the FEMA Wastewater Treatment Plant project and anticipated completion of the Regina Drive sewer project within two (2) weeks to early July. The Wapiti Drive stormwater project is scheduled to begin in early fall. Third, Mr. English reported upcoming street paving projects for Antler Drive, Laketree Blvd., and Duncan Road to improve infrastructure. Last, Mr. English presented Police Chief Jarman's monthly statistics: 906 calls for service, 234 traffic stops, with primary concerns being speeding, traffic accidents, domestic violence, physical disturbances, and burglary and theft. Mr. English emphasized monthly review goals to achieve reductions in these areas.

k. Town Attorney Report – Town Attorney Michael Porter – Attorney Porter provided an update on the SLPA foreclosure case where the Town purchased the note from Truist. The Hutchens Law Firm had obtained service on SLPA through the Secretary of State (required for inactive corporate entities) approximately 2-3 weeks prior. While no hearing date was set, one was expected soon, with some delays due to judges attending June conferences for required training.

## 11. ADJOURNMENT

**Action:** There being no further business to come before the Board, Mayor Anthony adjourned the meeting at 9:00 pm.

ATTEST:

\_\_\_\_\_  
Carly Autry, CMC, NCCMC  
Town Clerk

\_\_\_\_\_  
Kia Anthony  
Mayor



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

Consent Agenda

**Item Title**

Military and Veterans Affairs Advisory Committee Application – Reappoint Tim Baker

**Summary/Description**

Reappoint Tim Baker to the Military and Veterans Affairs Advisory Committee for a two (2) year term.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Military and Veterans Affairs Advisory Committee Application – Tim Baker



All information provided on this application is public information and may be shared with others upon request

## THE TOWN OF SPRING LAKE

### APPLICATION FOR ADVISORY COMMITTEE OR BOARD

- Appearance and Sustainability Committee     Military and Veterans Advisory Committee  
 Board of Adjustment     Minimum Housing Appeals Board  
 Recreation Advisory Committee     Senior Enrichment Advisory Committee

Last Name	First	Middle	Date
Baker	Timothy	James	10 June
Street Address			County
[REDACTED]			
City, State, Zip Code			
Fuquay Varina, NC 27526			
e-Mail			
nkpusher.tarheel@gmail.com			
Home phone			
Cell phone			
[REDACTED]			
Attending School			
Do you live inside the city limits of Spring Lake? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Are you currently serving on a Board/Committee of the Town of Spring Lake? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If so, What is the name(s) of the Board(s)/Committee(s):			
Spring Lake Military and Veterans Affairs Advisory			
Please describe your education, training and military background (both work and/or real world) that relates to your interest in serving in this capacity)			
USMC 850515-991019			

Are You currently employed?  Yes  No

Employer

Tannis Root Inc

Employer's Address

1720 Capital Blvd, Raleigh, NC 27602

Job Title

Tour Inventory/Production Manager

Description of Job duties

Manage the production schedule for Tannis Root. Ensure touring bands have appropriate stock of merchandise. Provide shipping information for shipping merchandise to bands on tour.

List/describe any anticipated conflicts of interest or scheduling challenges you may encounter if appointed:

Civic Involvement: Please list the names of all civic organizations in which you are currently involved:

Tar Heel Chapter, Nam Knights of America

10 June,

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**

Board of Aldermen Appointment  Yes  No

Date: \_\_\_\_\_

Term of Appointment: \_\_\_\_\_

Signature of Town Clerk: \_\_\_\_\_



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

Old Business

**Item Title**

Update on Water Operations

**Presenter**

John Cannon, Superior Utilities

**Summary/Description**

Mr. Cannon will discuss areas where significant leaks have occurred, corrective actions taken to address those issues, and any operational challenges encountered. The update will also include information on current system performance, efforts to improve water accountability, and recommendations for continued infrastructure maintenance and improvements. Informational purpose to keep the Board apprised of ongoing water system operations and infrastructure conditions.

**Requested Action**

Informational Only

**Funding Source (If Applicable):**

N/A

**Cost:** N/A    Yes     No

**Additional Documents to be Included in Agenda Packet**

Pending



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

Old Business

**Item Title**

Adoption of FPWC Interlocal Agreement

**Presenter**

Interim Town Manager Dennis English Jr.

**Summary/Description**

Approval of an Intergovernmental Water Services Agreement between the Town of Spring Lake and the Fayetteville Public Works Commission (PWC). The proposed agreement establishes the terms and conditions under which PWC will provide wholesale water service to the Town, including water purchase commitments, delivery standards, rate provisions, emergency supply procedures, maintenance responsibilities, and future capacity expansion requirements. The agreement provides for a minimum monthly purchase commitment of 15 million gallons, a standard monthly capacity of up to 28 million gallons, and a maximum daily usage of 2 million gallons, with provisions for additional capacity as needed. The agreement also establishes billing procedures, water conservation requirements, operational responsibilities, and a five-year initial term with an automatic five-year renewal. Staff recommends approval of the agreement and authorization for the Mayor to execute the agreement on behalf of the Town.

The Board reached a consensus at the Budget Workshop Special Meeting on Tuesday, June 16, 2026, to approve this contract.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Draft FPWC Interlocal Agreement

STATE OF NORTH CAROLINA )  
COUNTY OF CUMBERLAND )

**INTERGOVERNMENTAL  
WATER SERVICES AGREEMENT**

**This AGREEMENT** is made and entered into as of the Effective Date (as hereinafter defined) by and between the **FAYETTEVILLE PUBLIC WORKS COMMISSION**, a North Carolina public authority (hereinafter called the "Seller"), and the **Town of Spring Lake** (hereinafter called the "Purchaser"), a municipal corporation of the State of North Carolina. The Seller and the Purchaser are each a "party" to this Agreement, and the two of them are the "parties" to this Agreement.

**WITNESSETH:**

**WHEREAS**, the Purchaser owns and operates a municipal water system and wishes to purchase water for that system from the Seller in order to sell water to the Purchaser's customers, and

**WHEREAS**, the Seller owns and operates a water system with excess capacity, and the Seller wishes to sell excess water to the Purchaser; and

**WHEREAS**, the parties wish to enter into a mutually advantageous agreement, whereby the Purchaser will purchase from the Seller up to two million (2,000,000) gallons per day (hereinafter, "Maximum Daily Usage") of water, and will pay for it at Seller's wholesale water rates in effect at the time the water is delivered to Purchaser ("Wholesale Rate"), as periodically updated.

**NOW, THEREFORE**, in consideration of the mutual covenants, terms, and conditions contained herein, and accruing to the benefit of each of the respective parties hereto, the Purchaser and the Seller agree as follows:

**I. Representations and Warranties.**

- (a) Purchaser is a political subdivision of the State of North Carolina and a municipal corporation. Those signing on behalf of the Purchaser have been authorized by the Board of Commissioners of the Town of Spring Lake to execute this Agreement on behalf of the Purchaser.
- (b) The Seller is a public authority, organized under the laws of the State of North Carolina and a commission of the City of Fayetteville, North Carolina. Those signing on behalf of the Seller have been duly authorized to execute this Agreement on behalf of the Seller.
- (c) The Purchaser is unaware of any judgment, order, court ruling, contract, or instrument that would be violated by the Purchaser entering into this Agreement. The Purchaser is unaware of any pending or threatened litigation against it that would impair its ability to perform its duties and obligations under this Agreement.

**II. Quantity of Water Purchased.**

- (a) The Purchaser may use and purchase monthly up to twenty-eight million (28,000,000) gallons of the Seller's water (hereinafter, the "Maximum Monthly Usage Rate"). The

Purchaser shall not be permitted to purchase more than two million (2,000,000) gallons per day in any twenty-four (24) hour period (hereinafter the "Maximum Daily Usage Rate"). Regardless of how much water the Purchaser actually uses, the Purchaser will be charged at a monthly minimum of fifteen million (15,000,000) gallons each month during the term of this Agreement.

- (b) In the event the Purchaser's monthly purchase of water under this Agreement exceeds twenty-eight million (28,000,000) gallons in any billing month, the Purchaser shall pay all applicable fees and charges in accordance with the Seller's then-current rate schedules. In addition, the Purchaser shall pay a one-time Reserve Capacity Fee ("RCF") for each increment of three million (3,000,000) gallons of additional capacity reserved or utilized above twenty-eight million (28,000,000) gallons per month, up to the Maximum Monthly Usage Rate of forty million (40,000,000) gallons.

In the event the Purchaser's purchase of water under this Agreement in any month exceeds forty million (40,000,000) gallons, the cost to the Purchaser shall be two and a half (2 ½) times the then current rate per gallon.

- (c) The meter at the Metered Point (as defined below) will be read approximately every thirty (30) days by the Seller for the purpose of calculating its invoices to the Purchaser.
- (d) The Purchaser may read the meter as often as it chooses for purposes of setting a flow rate. The Purchaser may adjust its consumption in order to achieve its desired daily flow rate as long as the Purchaser complies with the Maximum Monthly Usage Rate and the Maximum Daily Usage Rate imposed by Section II(a) of this Agreement. The Purchaser shall provide a forecast of future water demand and shall update said forecast on an annual basis, said date to be established by the Seller.
- (e) Notwithstanding any other provision of this Agreement to the contrary, the Purchaser shall be temporarily relieved of its obligation to purchase water, and the Seller may not supply the Purchaser water, during any time period when the Seller lacks sufficient water to meet all of its customers' demands because of circumstances beyond the Seller's control (which may include, but are not limited to, a drought, but which do not include the Seller agreeing to serve new customers when it lacks sufficient water capacity to fully serve both those new customers and the Purchaser). In that event, the Seller's Water Conservation Plan shall apply.

### **III. Point of Delivery.**

The Seller agrees to deliver water to the Purchaser at a metered point ("Metered Point"), which the Seller has installed, and is located southeast of 600 South Bragg Boulevard. The Purchaser may connect one or more water lines to the Metered Point, on the Purchaser's side of the Metered Point. Any replacement or other meters subsequently needed at the Metered Point shall, similarly, be installed by the Seller and paid for by the Purchaser. The Seller shall routinely inspect, test, and maintain meter regardless of any suspected irregularities, and the Seller shall repair or replace meter if suspected irregularities are

confirmed. The Purchaser hereby acknowledges and agrees that the Seller shall have the right to enter the Purchaser's property, with prior written notice, when practical, to the Purchaser, to install, inspect, test, maintain, repair, and replace the meters at the Metered Point.

Purchaser shall promptly report to the Seller any malfunction or other problem that the Purchaser detects in a meter at the Metered Point.

#### **IV. Water Lines and Backflow Prevention Devices.**

- (a) The Purchaser shall install an appropriate backflow prevention device at the Metered Point, and that device must satisfy the Seller's standard specifications for lines and devices connected to the Seller's water system, and all applicable state and local laws, rules, and regulations. The Purchaser shall inspect and test its backflow prevention device or cause it to be inspected, at least once per year but in any event as required by applicable ordinance(s). The Seller also reserves the right to reasonably inspect and test the backflow prevention device but shall have no obligation to do so. The testing results and records shall be shared between the parties. In the event that a backflow prevention device malfunctions or fails, the Purchaser will recalibrate, repair, or replace the backflow prevention device and upgrade the vault in which it sits, as the Seller directs and in accord with the Seller's standards and specifications in effect at the time. The Seller shall not be responsible for the inspection, testing, upkeep, maintenance, recalibration, repair, or replacement of any backflow prevention device that the Purchaser installs at the Metered Point or the upgrade of any vault. The costs of any inspections, tests, upkeep, maintenance, recalibrations, repairs, replacements and/or upgrades of those devices shall be paid for by the Purchaser. The Seller shall not be required to provide to the Purchaser more than the Maximum Daily Usage Rate or the Maximum Monthly Usage Rate, as provided for in Subsections II(a) and Section V of this Agreement, even if the Purchaser experiences water loss due to repair problems associated with the backflow prevention device at the Metered Point.
- (b) As demand from the Purchaser increases, additional supply lines from the Seller's existing distribution system to the Metered Point may be required. The Seller may elect to design and construct the additional supply lines or to require that the Purchaser do so, at the Purchaser's sole cost and expense. The Purchaser will acquire in the name of the City of Fayetteville, North Carolina, by and through the Fayetteville Public Works Commission, and pay all the costs to acquire, any and all real property interests necessary, if any, to construct the additional supply lines, whether they are constructed by the Seller or the Purchaser. The real property must be deeded to the City of Fayetteville, North Carolina, by and through the Fayetteville Public Works Commission, at least thirty (30) days before a contract for construction is awarded. If the Seller designs and constructs the additional supply lines, then the Purchaser shall reimburse the Seller the amounts of the winning design proposal and construction bid, at least thirty (30) calendar days prior to the award of the contracts for each. Both parties, however, acknowledge that any such advance is an estimated cost, and subject to adjustment. Final billing shall be based upon, and the Purchaser shall pay to the Seller, the Seller's actual cost for design and construction. If the

amount the Purchaser shall have already paid is less than the Seller's actual cost, then the Purchaser shall remit to the Seller reimbursement for the additional cost within sixty (60) days after the date of an invoice from the Seller to the Purchaser therefor. If the Purchaser does not pay said invoice within sixty (60) days of the date of invoice, then the Seller shall charge a late payment penalty and interest, at the maximum amount authorized by applicable law, on any unpaid balance due. Once the Seller completes construction of the supply lines, the Seller will return to the Purchaser any overpayment by the Purchaser.

The Purchaser, on its side of the Metered Point, shall be permitted to connect whatever types and sizes of water lines and related equipment to the Metered Point, as are necessary or appropriate to enable the Purchaser to purchase the amount of water provided for by this Agreement, except that those lines and equipment must satisfy the Seller's standard specifications for lines and devices connected to the Seller's water system.

The Purchaser shall submit the design and specifications for any supply and other water lines and other equipment it proposes to construct and /or connect to the Seller's water system, to the Seller, for review and approval, prior to construction, but the Seller shall not, thereby, become responsible for any deficiencies in the lines or other equipment's design or construction. The Seller hereby disclaims responsibility for, and the Purchaser hereby acknowledges that, the Seller shall not be responsible for, any claims or liabilities in connection therewith.

- (c) Except as otherwise expressly specified herein, nothing in this Agreement shall grant to the Seller any ownership rights in the Purchaser's water lines or equipment downstream of the Metered Point or in any other water lines or equipment of the Purchaser. The preceding sentence shall not apply to supply lines, which shall become the property of the Seller, upon satisfactory completion of construction, in accordance with the terms of the relevant Application and Conveyance Agreement, and acceptance of the lines by the Seller.

**V. Flow Rate.**

In the event of a fire or other emergency that causes the Purchaser to need a larger volume of water, the Maximum Daily Usage Rate may be exceeded, subject to the Seller's ability to furnish additional water. In such case, the Purchaser shall give the Seller written notice of the fire or other emergency as soon as possible after such event, but, in no case later than 24 hours after such event. In the event the Maximum Monthly Usage Rate is exceeded due to a related documented emergency, the incremental RCF may not be imposed at PWC's sole and absolute discretion.

The Purchaser may, from time to time, need to take its elevated storage tank out of service for maintenance or other needs. The Purchaser will give the Seller reasonable notice, but, in any case, a minimum of two weeks' notice, prior to taking its tank out of service, and the Seller shall work with the Purchaser to maintain reasonable service to the Purchaser's customers during the time that the Purchaser's tank is out of service.

**VI. Compliance with Applicable Law.**

- (a) Each party's performance under this Agreement is subject to such federal, state, and local laws and regulations as may be applicable, and the Seller and the Purchaser will collaborate in obtaining any necessary permits or certificates as may be required to comply with those legal requirements. If, after the date of this Agreement's execution, any changes occur in applicable federal, state, or local laws or regulations, the provisions of this Agreement will be deemed automatically amended to comply therewith, without the need for any action on the part of either party, provided that, if any such change materially and adversely impacts the right of a party hereunder, said party may terminate the Agreement by giving the other party 12 (twelve) months' prior written notice.
- (b) The Purchaser agrees to operate all portions of the water system that it owns or controls, downstream from the Metered Point, in compliance with all applicable federal, state, and local laws and regulations.

**VII. Records.**

Each party agrees to keep and maintain records related to its performance under this Agreement, and in accordance with applicable state and local laws and regulations and agrees that any such records which are public records may be examined and copied by the other party or its representatives during regular business hours.

**VIII. Term and Termination.**

- (a) This Agreement shall begin on the date that it has been signed by both parties (the "Effective Date"). The initial term of the Agreement will be five (5) years from the Effective Date (the "Initial Term"). Upon expiration of the Initial Term, this Agreement shall automatically renew for one (1) additional five (5) year term (the "Renewal Term"), unless earlier terminated in accordance with this Agreement.
- (b) If the Seller contends that the Purchaser has breached a material term of this Agreement other than non-payment of an invoice, the remedy for which is addressed in Subsection IX(b), below, the Seller shall provide written notice to the Purchaser detailing the breach, and the Purchaser shall have thirty (30) calendar days from the date of the notice to cure that breach (or, if the breach cannot reasonably be cured within 30 calendar days, to make reasonable efforts to begin curing the breach and to continue diligently working to cure the breach after the thirty (30) days have ended, until the breach is cured, provided that the breach must, in any event, and nothing else to the contrary withstanding, be cured within ninety (90) calendar days of the date of the Seller's notice to the Purchaser of the breach).
- (c) If the Purchaser does not cure the breach or make reasonable efforts to begin curing the breach, as applicable, within the specified time periods, or, if the Purchaser does not, thereafter, continue to diligently pursue a remedy of the breach, all as the Seller, in its sole and absolute discretion, shall determine, the Seller may either terminate this Agreement, with thirty (30) calendar days' prior, written notice, or suspend this

Agreement for as long as the breach remains uncured, as the Seller, again, in its sole and absolute discretion, shall determine.

- (d) If this Agreement is suspended, the Purchaser may, at any time before the Seller provides written notice of termination, per Subsection IX(c), below, reinstate this Agreement upon curing the breach, at which time the Agreement shall be deemed reinstated.
- (e) If the Purchaser breaches any material provision of this Agreement, the Seller may terminate the Agreement, as specified above. If the Seller wishes to terminate this Agreement, without cause at any time during the Initial Term or the Renewal Term, the Seller must provide twenty-four (24) months' prior, written notice to the Purchaser.
- (f) If the Purchaser wishes to terminate this Agreement, with or without cause, at any time during the Initial Term or the Renewal Term, the Purchaser must provide the Seller twelve (12) months' prior written notice.

#### **IX. Payment.**

- (a) The Seller will read the meter at the Metered Point and submit an invoice to the Purchaser for each billing cycle, based on the total amount of water purchased by the Purchaser, as shown by the meter. If the meter fails to function properly during a particular billing cycle, so that an accurate reading of water usage for that billing cycle cannot be made, the Purchaser shall pay, as its total charge for that billing cycle, the average of the total charges per billing cycle that it paid for the three prior billing cycles for which accurate meter readings are available, unless the estimation is adjusted by mutual consent.
- (b) The Purchaser shall pay the Seller for all water delivered under this Agreement at the Wholesale Rate, which shall be the Seller's wholesale per gallon usage rate excluding Operations and Maintenance ("O&M") charges, as established in the Seller's Service Regulations and Rates, as amended from time to time. Payment shall be made in accordance with the timeframes set forth therein.
- (c) Seller agrees to provide seven days' notice of public hearing prior to revising the rates referenced in this Agreement.

#### **X. Event of Default**

In addition to the rights of termination provided to Seller in this Agreement, Seller may suspend the furnishing of wholesale water to the Purchaser in the event of a default by the Purchaser. Notwithstanding the foregoing, PWC may immediately suspend the furnishing of wholesale water to the Purchaser to prevent harm to the Purchaser or to Seller's System or due to an Emergency Condition.

An "event of default" under this Agreement includes, but is not limited to, the following:

- a. Failure by the Purchaser to pay when due all of its monetary obligations under this Agreement after the expiration of ten (10) days written notice to the Purchaser;
- b. Fraudulent or unauthorized use or consumption of water from the Seller or use in such manner as to circumvent the Seller's meter or cause meter error or tampering with the Seller's equipment;
- c. Subject to Section V above, two (2) or more exceedances by the Purchaser of the Maximum Daily Usage Rate during any thirty (30) day period;
- d. Subject to Section V above, two (2) or more exceedances by the Purchaser of the Monthly Maximum Usage during any continuous six (6) month period for which this Agreement is in full force and effect; and
- e. Any other breach by the Purchaser of this Agreement after the expiration of thirty (30) days written notice to the Purchaser.

**XI. Water Quality.**

The point of sale of the water provided herein shall be at the Metered Point. The Seller warrants only that all water delivered to the Metered Point is in full compliance with all applicable federal, state, and local laws and regulations. The Seller does not warrant or represent that its water is fit for any other purpose. THE SELLER EXPLICITLY EXCLUDES ANY WARRANTY UNDER THE UNIFORM COMMERCIAL CODE INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR IMPLIED WARRANTY FOR MERCHANTABILITY. THE SELLER FURTHER DISCLAIMS ALL OTHER WARRANTIES UNDER ARTICLE 2 OF CHAPTER 25 OF THE NORTH CAROLINA GENERAL STATUTES, CONSISTENT WITH NCGS §130A-315(G) OF THE NORTH CAROLINA DRINKING WATER ACT. Further, the Seller makes no warranties about, and is not responsible for, any diminution in the quality of the water after it passes through the Metered Point and enters the Purchaser's water system.

**XII. Pressure.**

The Seller warrants that all water shall be delivered to the Metered Point with a minimum pressure as prescribed by applicable law. The Seller makes no warranty about, and is not responsible for, any reduction in the water's pressure once it passes through the Metered Point and enters the Purchaser's water system.

**XIII. Booster Pumps.**

In the event the Purchaser installs booster pumps for the lines that the Purchaser directly connects to the Metered Point, the Purchaser shall submit plans and specifications for those pumps to the Seller for the Seller's review and approval. The Purchaser shall not install those pumps without the Seller's prior, written approval, which shall not be

unreasonably withheld. Those pumps will meet the Seller's standard specifications for booster pumps connected to the Seller's water system.

**XIV. No Resale to Other Water Systems.**

Although the Seller acknowledges that the Purchaser is purchasing the Seller's water for resale to the Purchaser's customers, the Purchaser hereby agrees that it shall not furnish or sell such water to other governmental bodies or water systems, or make interbasin transfers of such water, without the Seller's prior written consent. For purposes of this section, "other water systems" shall mean water systems owned and operated by another government body or private entity that resells water to its own customers.

**XV. Customers.**

Unless otherwise agreed by the parties, the owners and occupiers of any properties that receive their water directly or indirectly from the Purchaser's water system (or for which the Purchaser does or could impose a water availability charge or comparable charge because that customer could receive water from the Purchaser's system but does not do so) will be water customers of the Purchaser and not of the Seller.

**XVI. Water Emergencies.**

In the event the Seller declares water use restrictions in accordance with its water emergency management policies, the Purchaser agrees, with regard to any water delivery to the Purchaser by the Seller pursuant to this Agreement, to implement water use restrictions equal to those implemented by the Seller within twenty-four (24) hours of notification to the Purchaser by the Seller.

**XVII. Indemnifications.**

- (a) By the Purchaser: To the extent allowed by law, the Purchaser shall release, defend, indemnify, and hold the Seller harmless from and against any and all claims, costs, damages, liabilities, expenses, actions, and causes of action, whatsoever, including, but not limited to, reasonable attorneys' fees, court costs, other expenses of litigation, and incidental, indirect, consequential, special, exemplary, and punitive damages, to the extent arising out of or, in any way, connected with:
- i. Under the foregoing Article II (d), the Seller's failure to supply water during any time period when the Seller lacks sufficient water to meet all of its customers' demands because of circumstances beyond the Seller's control (which may include, but are not limited to, a drought, but which do not include the Seller agreeing to serve new customers when it lacks sufficient water capacity to fully serve both those new customers and the Purchaser).
  - ii. Under the foregoing Article IV, any acts or omissions of the Purchaser, in (i) the installation, construction, inspection, operation, maintenance, expansion, repair,

reconstruction, rehabilitation, relocation, or replacement of that system or appurtenant devices, or any other activity associated with the system, or (i) the Purchaser's inspection of the Seller's meters, or (iii) any defect or flaw in the design, installation, or construction of, or any failure or malfunction of, the Metered Point, meters, backflow prevention devices, booster pumps, supply lines, or other lines or equipment designed, installed/constructed, or provided by the Seller or any of its employees or agents, hereunder, including but not limited to the extension by the Purchaser of the Seller's existing line to the County border, the construction by the Purchaser of any supply lines and associated equipment, and the installation by the Purchaser of any meters or backflow prevention devices.

- iii. Under the foregoing Article VI, the Purchaser's failure to so comply with federal, state, and local laws and regulations.
  - iv. Under the foregoing Article XI, any reduction in water quality once it passes through the Metered Point and enters the Purchaser's water system.
  - v. Under the foregoing Article XII, any reduction in the pressure of the water once it passes through the Metered Point and enters the Purchaser's water system.
  - vi. Under the foregoing Article XIII, said booster pumps.
  - vii. Under the foregoing Article XIV, the re-sale or other provision of water by the Purchaser to any third party.
- (b) By the Seller: To the extent allowed by law, the Seller shall release, defend, indemnify, and hold the Purchaser harmless from and against any and all claims, costs, damages, liabilities, expenses, actions, and causes of action, whatsoever, including, but not limited to, reasonable attorneys' fees, court costs, other expenses of litigation, and incidental, indirect, consequential, special, exemplary, and punitive damages, to the extent arising out of or, in any way, connected with:
- i. The Seller's failure to operate its water system in compliance with federal, state, and local laws and regulations as to any water supplied and upstream from the Metered Point.
  - ii. The Seller's failure to provide the Purchaser with a maximum flow rate, under the foregoing Article V.
  - iii. Any breach of the Seller's warranty resulting in diminution in the quality of the water before it passes through the Metered Point, under the foregoing Article XI.
  - iv. The Seller's failure to deliver water to the Metered Point with a minimum pressure of fifty (50) psi or such other minimum as prescribed by applicable law, under the foregoing Article XII.

#### **XVIII. Iran Divestment Act.**

The Parties certify that they are not on the North Carolina State Treasurer's list of persons engaging in business activities in Iran, prepared pursuant to NCGS §147-86.58; nor will the Parties utilize, on this Agreement, any contractor or subcontractor on such list.

**XIX. Divestment from Companies Boycotting Israel.**

The Parties certify that they are not on the North Carolina State Treasurer's list of companies engaged in a boycott of Israel, in violation of NCGS 147-86.80 et. seq., and that they will not utilize on this Agreement any contractor or subcontractor on said list.

**XX. E-Verify.**

The Applicant will comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Furthermore, if the Applicant utilizes a contractor, the Applicant will require the contractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

**XXI. Defenses.**

The Seller hereby reserves any and all defenses available to it at law or in equity, including, but not limited to, the defenses of governmental immunity, contributory negligence, and employees acting outside the scope of employment.

**XXII. Chlorine Residuals.**

If the Purchaser's water system must be flushed to maintain chlorine residuals therein, the Purchaser shall be solely responsible to flush its water system, in order to maintain chlorine residuals therein, and to pay to the Seller the cost of the water required to flush said system.

**XXIII. Interlocal Cooperation Statute Requirements.**

To the extent any portion of this Agreement is authorized by Article 20, Part I of Chapter 160A of the North Carolina General Statutes, the following provisions will apply:

- (a) No joint agency is established by virtue of this Agreement.
- (b) The Purchaser and the Seller, will be responsible to appoint or employ the personnel necessary to implement their respective obligations, as indicated herein.
- (c) The financing of the undertaking which is the subject of this Agreement, and the apportionment of costs and revenues, will be as indicated herein.
- (d) To the extent any real property is involved in the undertaking, which is the subject of this Agreement, said real property will be held by the party indicated herein (the City of Fayetteville, North Carolina, by and through Fayetteville Public Works

Commission, will hold title on behalf of the Seller with respect to any real property with respect to which the Seller is obligated herein).

**XXIV. Counterparts; Facsimiles and Electronic Signatures.**

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument. Facsimile and/or electronic copies of the parties' signatures shall be valid and treated the same as original signatures.

**XXV. Entire Agreement.**

This Agreement constitutes the entire agreement and understanding between the parties concerning the subject matter of this Agreement, and it supersedes all other offers, negotiations, representations, and agreements, either written or oral, concerning that subject matter. Any amendment to this Agreement must be in writing, approved by the governing boards of both parties, and executed by both parties.

**XXVI. Governing Law and Forum.**

This Agreement shall be governed by the laws of the State of North Carolina without regard to North Carolina's choice of law provisions. The sole and exclusive venue for any action pertaining to this Agreement shall be the Cumberland County Superior Court in Cumberland County, North Carolina.

**XXVII. Invalidated Provisions Stricken.**

If any term of this Agreement is found by a court of competent jurisdiction to be invalid, the invalid term shall be enforced to the greatest extent legally permissible, and the invalidity shall not affect the remaining terms of this Agreement, which shall continue in full force and effect.

**XXVIII. Waiver.**

If either party waives or excuses any breach of this Agreement by the other party, that shall not be deemed to waive or excuse any later breach of this Agreement by the other party, nor shall it be deemed a waiver of this section of the Agreement.

**XXIX. Assignment.**

Except as expressly provided below, neither party may assign its rights or obligations under this Agreement, nor subcontract any part of this Agreement, without the prior written approval of the other party.

Notwithstanding the foregoing, in the event the Purchaser participates in, joins, or assigns its water supply or distribution responsibilities to a regional water partnership, authority,

joint agency, or other governmental or quasi-governmental entity formed for the purpose of owning, operating, or managing water facilities (a "Successor Entity"), the Purchaser may request that this Agreement be assigned to such Successor Entity. Any such assignment shall require the prior written consent of the Seller, which shall not be unreasonably withheld, conditioned, or delayed, provided that the Seller determines, in its reasonable discretion, that (i) the Successor Entity has the legal authority to perform the obligations of the Purchaser under this Agreement, (ii) the Successor Entity assumes in writing all obligations of the Purchaser hereunder, and (iii) the assignment will not materially and adversely affect the Seller's operations, system capacity, or rights under this Agreement.

Upon approval and completion of such assignment, the Successor Entity shall be deemed the "Purchaser" for all purposes of this Agreement, and the original Purchaser shall be released from further performance, except for obligations accrued prior to the effective date of the assignment.

This Agreement shall be binding upon any person or entity acquiring the Seller's water system. The Seller shall provide the Purchaser with at least thirty (30) days' advance written notice prior to conveying the Seller's water system to any person or entity.

**XXX. No Third-Party Beneficiaries.**

The Seller and the Purchaser do not intend for this Agreement to grant any rights to any third parties, and this Agreement shall not be deemed to grant any rights to any third parties.

**XXXI. Notices.**

All notices, requests, demands and other communications hereunder must be in writing and shall be deemed to have been duly given by hand delivery (with receipt therefor) or by Federal Express or similar courier service, or if mailed by first class, certified or registered mail, return receipt requested, postage and certification or registry fees prepaid, and addressed as follows:

To Seller:

Fayetteville Public Works Commission  
955 Old Wilmington Road  
Fayetteville, NC 28301  
Attn: CEO/General Manager

With copy to:

Fayetteville Public Works Commission  
955 Old Wilmington Road  
Fayetteville, NC 28301

Attn: General Counsel

To: Purchaser

Town of Spring Lake  
300 Ruth Street  
Spring Lake, NC 28390

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date.

Fayetteville Public Works Commission

By: \_\_\_\_\_  
Timothy Bryant, CEO and General Manager

Date: \_\_\_\_\_

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act (N.C. Gen. Stat. § 159-1 et seq.).

By: \_\_\_\_\_  
Rhonda Graham, Chief Financial Officer

Approved as to form:

\_\_\_\_\_  
Legal Dept.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date.

Town of Spring Lake

By: \_\_\_\_\_  
Kia Anthony, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_

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

By: \_\_\_\_\_  
James C. Overton, Finance Director

Approved as to form:

\_\_\_\_\_  
Town Attorney



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

Old Business

**Item Title**

Adoption of Overhills Park Sewer Agreement

**Presenter**

Interim Town Manager Dennis English Jr.

**Summary/Description**

Approval of a Sanitary Sewer Wholesale Agreement between the Town of Spring Lake and the Overhills Park Water & Sewer District. The proposed agreement establishes the terms and conditions under which the Town will provide wastewater treatment services for sewage generated within the Overhills Park Water & Sewer District and discharged into the Town's wastewater system. The agreement establishes an initial wholesale sewer treatment rate of \$7.50 per 1,000 gallons effective July 1, 2026, allocates treatment capacity of up to 120,000 gallons per day, outlines billing and rate adjustment procedures, and defines the responsibilities of both parties regarding service delivery and capacity management. The agreement replaces the existing 2014 sewer service agreement and provides for an initial ten-year term with automatic annual renewals thereafter unless terminated by either party. Staff recommends approval of the agreement and authorization for the Mayor and Town Clerk to execute the agreement on behalf of the Town.

The language assigning maintenance responsibility appears in the separate Memorandum of Understanding (MOU), which states: "Effective July 1, 2026, Overhills Park Water & Sewer District shall resume responsibility for maintenance of the sewer system." The MOU was signed on Wednesday, June 10, 2026.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A    Yes     No

**Additional Documents to be Included in Agenda Packet**

Draft Overhills Park Sewer Agreement

Signed MOU

**STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND**

**OVERHILLS PARK WATER & SEWER DISTRICT  
SANITARY SEWER WHOLESAL AGREEMENT**

**THIS AGREEMENT** made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2026 by and between the Town of Spring Lake, a North Carolina municipal corporation, (hereinafter referred to as "Spring Lake"), and Overhills Park Water & Sewer District, a body corporate and politic and being a county water and sewer district created by the Cumberland County Board of Commissioners pursuant to Article 6 of Chapter 162A of the North Carolina General Statutes (hereinafter referred to as "District").

**WITNESSETH:**

**WHEREAS**, District is a county water and sewer district created by the Cumberland County Board of Commissioners pursuant to Article 6 of Chapter 162A of the North Carolina General Statutes consisting of the area shown in Exhibit A; and

**WHEREAS**, District owns a sanitary sewer collection system; and

**WHEREAS**, Spring Lake owns and operates sanitary sewer treatment facilities ("Wastewater Collection and Treatment System") and provides wholesale sanitary sewer treatment services; and,

**WHEREAS**, District wishes to contract with Spring Lake to furnish wholesale sanitary sewer treatment services and Spring Lake agrees to furnish sanitary sewer treatment service pursuant to the terms of this agreement.

**NOW THEREFORE**, Spring Lake and District agree to the following terms and conditions:

1. Discharge Point:

As of the Effective Date, wastewater from District's sanitary sewer collection system will be discharged into Spring Lake's Wastewater System at the existing entry point listed in Section 1 and thence treated at Spring Lake's wastewater treatment plant as deemed appropriate. The existing entry point is tying force main discharge to the existing manhole located on the 30' utility easement, as shown on sheet P&P-09 STA 9+94 of MBD Consulting Engineers P.A. construction plans into which District's Brinkley Lift Station discharges.

2. Monthly Billing:

A. As of the Effective Date, the flow measuring device at District's Brinkley Lift Station will be read, as nearly as practical, at regular monthly intervals. The period between device readings shall not be less than twenty-seven (27) days and not more than thirty-three (33) days. If Spring Lake is unable to read the flow measuring device for any reason, the wastewater flow shall be estimated by Spring Lake based on District's wastewater flow for the preceding three billing periods for which readings were obtained. Bills rendered based on such estimates shall

be as valid as if made from actual device readings with Spring Lake to make appropriate adjustment of District's bill with the bill for the first actual reading of the flow measuring device after such estimate.

- B. The term "month" or "monthly" refers to the interval(s) transpiring between the previous meter reading date and the current meter reading date, and bills shall be rendered accordingly.
- C. Spring Lake will submit bills to District monthly for the prior month's sewer treatment service.
- D. Spring Lake will, annually, or such time as shall be determined by Spring Lake, perform a rate analysis to determine the rates which are applicable to serving Spring Lake's various classes of water and sanitary sewer service. Among those classes of service will be wholesale sanitary sewer service, a class which shall include District's discharge through its Brinkley Lift Station.
- E. Spring Lake will use audited balance sheets, income statements, comparable wholesale market rate data, and return on investment financial information as the basis for determining the rates applicable to this Agreement. Spring Lake may at its option, adjust audited financial data for changes to such financial data known or reasonably expected to occur during the period in which the billing rate will be in effect.
- F. Spring Lake will provide at least 90 days' notice to District of any rate changes.
- G. The initial Wholesale Sewer Rate to be charged to Overhills, is \$ 7.50 per 1,000 gallons, or \$ .00750 per gallon, the rate effective date is July 1, 2026.

3. Capacity Charges

- A. Spring Lake shall receive and treat up to 120,000 gallons per day of District's wastewater, representing the projected average daily capacity generated from sources within District.
- B. Spring Lake shall notify District if the measured average daily usage in gallons per day of wastewater reaches 80% of the contracted amount.
- C. If the measured average daily usage in gallons per day of wastewater from District exceeds 90% of the contract demand, District shall purchase additional contract capacity at the current Spring Lake capacity rate in increments of at least 5% of the existing contracted amount.

4. Suspension or Termination of Sanitary Wastewater Treatment Service:

Spring Lake, in addition to all other legal remedies, may either terminate this Agreement or suspend sanitary sewer treatment service to District for:

- A. Any material default or breach of this Agreement by District, fraudulent or unauthorized use of the sanitary sewer treatment service or discharge of sanitary sewer in such manner as to circumvent the flow measuring device at District's Brinkley Lift Station; or District's failure to

pay the monthly bills when due and payable.

- B. No such termination or suspension, however, will be made by Spring Lake without thirty (30) days written notice delivered to District personally or by mail, within which time District may cure any such alleged default or breach or commence in good faith to cure any such default or breach which cannot reasonably be cured within thirty (30) days, except that only seven (7) days' notice need be given for fraudulent or unauthorized use of the sanitary sewer treatment service or discharge of sanitary sewer in such manner as to circumvent the flow measuring device at District's Brinkley Lift Station.
- C. Spring Lake's suspension of sanitary sewer service or termination of this Agreement upon any authorized grounds shall not relieve District of liability for the payment of sanitary sewer treatment service to the date of suspension or termination of this Agreement; nor liability for any actual damage sustained by Spring Lake.

5. Term of Agreement:

The term of this Agreement is for ten (10) years from \_\_\_\_\_, 2026 until \_\_\_\_\_, 2036 (the "Initial Term"). This Agreement shall automatically renew at the end of the Initial Term for a period of one (1) year, and shall automatically renew each year thereafter for a period of one year, unless terminated pursuant to the terms of Paragraph 10, or by either party by giving not less than one (1) year written notice to the other party, or upon mutual consent of both parties. Either party may terminate this Agreement during the Initial Term by giving the other party one (1) year written notice.

6. Prior Agreements: This Sanitary Sewer Wholesale Agreement shall replace the Sanitary Sewer Service Agreement by and between the Town of Spring Lake and the Overhills Park Water and Sewer District dated September 8, 2014.

7. Effective Date:

The Effective Date, as that term is used in this Agreement, shall be the date that the Agreement is fully executed by both parties.

8. Notices: Whenever written notices are required under this Agreement, said notice shall be in writing and shall be delivered personally or shall be sent by prepaid registered or certified mail.

If notice is mailed to Spring Lake, it should be addressed as follows:

Mayor, Town of Spring Lake  
P.O. Box 617  
Spring Lake, NC 28390

If notice is mailed to District, it should be addressed as follows:

Chairman, Board of Governors  
Overhills Park Water & Sewer District  
P.O. Box 1829  
Fayetteville, NC 28302-1829

Either party may change its mailing address by giving written notice of the new address. Unless so changed, the addresses set forth above shall apply.

9. Binding Effect: This contract shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.
10. Entire Agreement: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed in writing.
11. Governing Law: This contract shall be governed by the laws of the State of North Carolina.

[Signature Page Follows]

DRAFT

**IN WITNESS WHEREOF**, the parties hereto, through their duly authorized officers has executed this contract as to the date and year first above written.

**OVERHILLS PARK WATER & SEWER DISTRICT**

By: \_\_\_\_\_  
Kirk deViere, Chairman

ATTEST:

\_\_\_\_\_  
Andrea Tebbe, Clerk to the Board

**THE TOWN OF SPRING LAKE**

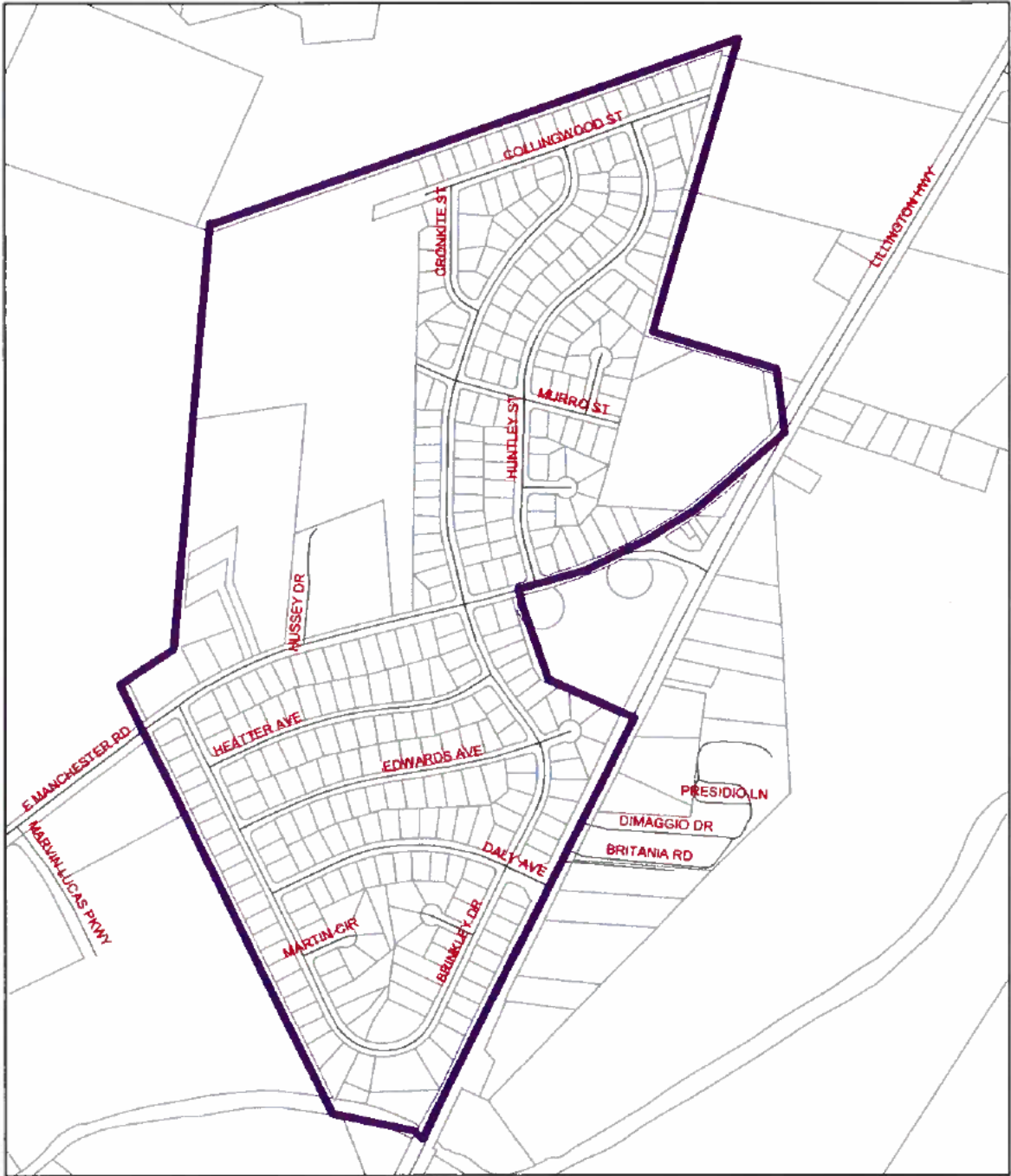
By: \_\_\_\_\_  
Kia Anthony, Mayor

ATTEST:

\_\_\_\_\_  
Carly Autry, Town Clerk

**DRAFT**

Exhibit A



OVERHILLS PARK WATER & SEWER DISTRICT



## **MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this 10<sup>th</sup> day of June, 2026, by and between the Town of Spring Lake, North Carolina ("Spring Lake") and the Overhills Park Water & Sewer District ("Overhills"), collectively referred to as the "Parties."

**WITNESSETH**

WHEREAS, Spring Lake currently provides sewer treatment services associated with the Overhills Park Water & Sewer District; and

WHEREAS, the Parties desire to resolve current sewer billing concerns and establish a mutually agreeable framework for future sewer billing and maintenance responsibilities; and

WHEREAS, the Parties desire to maintain consistency with the intent of prior agreements while aligning rates with current bulk sewer costs and operational responsibilities;

NOW, THEREFORE, the Parties agree to the following:

**1. Existing Maintenance Charge**

The existing per-customer maintenance charge of \$9.25 per connection shall no longer be assessed beginning July 1, 2026.

**2. Recalculation of Existing Sewer Bills**

Existing sewer bills shall be recalculated and backdated using a bulk sewer rate of \$6.25 per 1,000 gallons, consistent with the current Public Works Commission (PWC) benchmark rate for Fiscal Year 2026.

**3. Revised Bulk Sewer Rate**

Effective July 1, 2026, the bulk sewer rate shall increase to \$9.00 per 1,000 gallons for a term of five (5) years.

**4. Sewer System Maintenance Responsibility**

Effective July 1, 2026, Overhills Park Water & Sewer District shall resume responsibility for maintenance of the sewer system.

**5. Intent of Agreement**

This MOU is intended to establish a mutually agreeable framework between the Parties regarding sewer billing and maintenance responsibilities and may serve as the basis for future formal agreements or amendments as necessary.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding through their duly authorized representatives.

**TOWN OF SPRING LAKE**

By: ~~De~~  
Dennis English  
Dennis English

Date: 6/10/26

ATTEST: Carly Duty  
Clerk



**OVERHILLS PARK WATER & SEWER DISTRICT**

By: \_\_\_\_\_  
Kirk deViere, Chairman

ATTEST: \_\_\_\_\_  
Clerk



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

DEV-0046-26

**Presenter**

Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.

**Summary/Description****Requested Action:**

Consideration of approval of DEV-0046-26, a Preliminary Plat submitted by Pronyl Builders LLC to subdivide two existing parcels located on W. Manchester Road into six residential lots. Lots 1-3 are proposed for single-family residential use, while Lots 4-6 will contain existing multi-family residential uses, including two duplex lots and one triplex lot.

**Background:**

The proposed subdivision encompasses approximately 8.11 acres and is zoned R-15. The plat includes shared driveway and cross-access easements to provide access to the lots, utility easements for maintenance of existing and future utility infrastructure, and designated recreational areas to satisfy Group Development requirements for the multi-family lots. No new structures, expansions, or additions are proposed at this time.

The property is located within the Pope Field Accident Potential Zone 1 (APZ-1) and contains portions of the 100-year floodway; however, no new development is proposed within these areas. Cumberland County Planning determined the Preliminary Plat is consistent with applicable subdivision requirements of the Town of Spring Lake Code of Ordinances.

**Staff Recommendation:**

Approval of the Preliminary Plat subject to the conditions outlined in the attached Conditions of Approval Letter, including requirements related to future redevelopment review, driveway permitting, utility and easement maintenance responsibilities, fire access standards, RLUAC coordination, and Final Plat approval prior to recordation

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Dashboard Briefing for DEV-0046-26, DEV-0059-26, PLAT-0032-06

DEV-0046-26 Town Transmittal Letter

DEV-0046-26 Approval Letter

DEV-0046-26 Preliminary Plat

**Subject: Briefing for Cases DEV-0046-26, DEV-0059-26, and PLAT-0032-26**

**Date: June 17, 2026**

**To: Casey Noble, Town of Spring Lake Programs Admin Assistant**

**Dennis English, Town of Spring Lake Town Manager**

**From: Timothy Doersam, Planner II/Assigned Project Manager and Point of Contact for these projects. (If you cannot contact me, the next point of contact is the Current Planning Manager, Telly Shinas)**

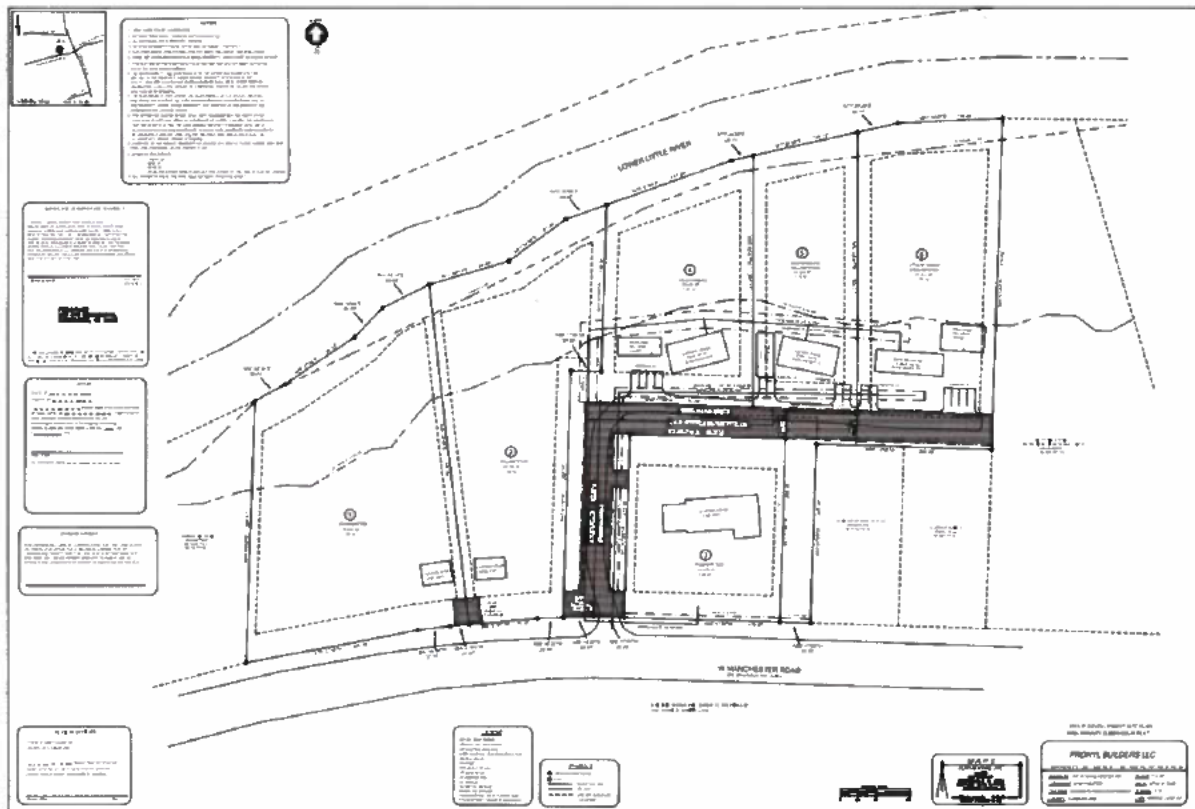
### **Dashboard Development Briefing**

For the meeting, we have provided a dashboard development briefing to help explain the type of approval required regarding DEV-0046-26, DEV-0059-26, and PLAT-0032-26 that the applicant is requesting to be on the June 22, 2026 agenda.

Please see the GIS snip and dashboard briefing description below regarding applicant's request for DEV-0046-26 (Preliminary Plat), DEV-0059-26 (Group Development Site Plan), and PLAT-0032-26 (Final Plat) (all related to each other and require Board of Commissioners approval) for initial information prior to the meeting:



There is an existing residential multi-family development and three single family homes along W Manchester Rd. Applicant is not proposing any new units. This site is served by water and sewer. The applicant's desired development goal is to secure a Group Development Site Plan for the multi-family units to be in conformance with the Code of Ordinance. No approvals were found for the existing multi-family structures. Also, the applicant desires preliminary plat and final plat approval so that each multi-family structure stands on its own lot. This is why all three approvals are required at the same time.



Further, applicant is proposing to subdivide the two existing parcels into six parcels so each structure is on its own lot. Regarding the multi-family structures, see the attached plan, as there are more than one residential dwelling unit in each structure, per the Spring Lake Code of Ordinances. Lots 4 and 5 to contain a duplex, and Lot 6 to contain a triplex, each with proposed parking spaces pursuant to Section 36-71.(6) for Group Developments within the Town of Spring Lake Code of Ordinances.

Lots 1-3 will contain a single-family dwelling on each Lot and satisfies the zoning and subdivision section requirements.

All lots are required to have, at minimum, a 35' street frontage, per Spring Lake Code of Ordinances. As proposed, all lots satisfy that requirement. Lots 1 and 2 have a proposed joint driveway easement. Lots 3-6 are proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow the Lots to travel across property lines to enter and exit from the shared joint driveway easement. To ensure the proposed joint driveway easement is utilized by all property owners/tenants of Lots 3 and 6, a no access easement is proposed along the front yard property line parallel to W Manchester Rd.

A private utility easement is proposed along the joint driveway easement to allow for the property owner(s) to maintain and upkeep any and all existing or future utility line connections unobstructed.

#### **Technical Review Team Comments**

A technical review team transmittal letter for each case was sent out separately to the review team members on June 3, 2026, which included the assigned Town representative, for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on June 9, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact. The Spring Lake Fire Chief did provide comments about concerns with the driveway maintaining sufficient clearance, width, and construction for any fire apparatuses which may need to respond to an emergency.

The driveways and internal travelways are conditioned to be gravel in design and maintained as such to allow for unimpeded ingress/egress by emergency service vehicles.

The 100-year floodway is depicted on the Preliminary Plat with all existing structures to remain, none of which are located within the floodway and no expansions of structures proposed. No new structures are proposed at this time either.

Additionally, the properties are all within the critical path of the Pope Airfield's Accident Potential Zone 1. The Preliminary Plat will have a note stating such, and the approval letter will have a condition requiring coordination with RLUAC if any re-development, expansion, or additions to the properties are proposed prior to application submissions or permit approvals.

There are proposed recreational areas provided for the two existing duplex and existing triplex to conform to requirements for recreation areas found within the Town of Spring Lake Code of Ordinances Section 36-71.(8).

### **Cumberland County Consistency Review Determination (All three projects)**

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this Preliminary Plat, Group Development Site Plan, and Final Plat are consistent with the Town of Spring Lake Code of Ordinances requirements found within Section 36 for Subdivisions which also contains the Group Development provisions.

The applicant, Sean Pennings, is respectfully requesting DEV-0046-26 (Pronyl Builders Preliminary Plat), DEV-0059-26 (Group Development Site Plan), and PLAT-0032-26 (Final Plat) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting, and, if approved by the Board of Commissioners pursuant to Sec. 36-30.(c) of the Spring Lake Code of Ordinances, have the Board of Commissioners Chair, the Administrative Officer, or his/her designee signing the accompanying approval documents and plats/plans.



June 17<sup>th</sup>, 2026

MEMO TO: TOWN OF SPRING LAKE  
BOARD OF COMMISSIONERS,  
ADMINISTRATIVE OFFICER (TOWN  
MANAGER OR DESIGNEE), AND TOWN  
CLERK

FROM: TIMOTHY DOERSAM  
CUMBERLAND COUNTY PLANNING AND  
INSPECTIONS- PLANNER II

SUBJECT: APPLICANT REQUEST FOR  
PLACEMENT ON JUNE 22, 2026 TOWN OF  
SPRING LAKE BOARD OF  
COMMISSIONERS MEETING

**REQUESTED ACTION: APPROVAL OF DEV-0046-26:**

Preliminary Plat to subdivide two existing parcels into six parcels. Lots 1-3 will contain a single-family dwelling on each Lot, and Lots 4-6 will contain multi-family dwellings on each Lot. Lots 4 and 5 to contain a duplex, and Lot 6 to contain a triplex, each with proposed parking spaces pursuant to Section 36-71.(6) for Group Developments within the Town of Spring Lake Code of Ordinances. All lots are abutting W Manchester Rd, S.R. 1451, directly for at least 35'. Lots 1 and 2 have a proposed joint driveway easement. Lots 3-6 are proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow the Lots to travel across property lines to enter and exit from the shared joint driveway easement. To ensure the proposed joint driveway easement is utilized by all property owners/tenants of Lots 3 and 6, a no access easement is proposed along the front yard property line parallel to W Manchester Rd.

A utility easement is proposed along the joint driveway easement to allow for the property owner(s) to maintain and upkeep any and all existing or future utility line connections unobstructed.

A technical review team transmittal letter with the preliminary plat was sent out to the review team members on June 3, 2026 for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on June 9, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact. The Spring Lake Fire Chief did provide comments about concerns with the driveway maintaining sufficient clearance, width, and construction for any fire apparatuses which may need to respond to an emergency.

If any re-development were proposed in the future for any lot, a condition within the approval letter will require a pre-application meeting with the applicant, Town of Spring Lake Staff, and Cumberland County Current Planning Staff prior to any formal submission for review.

The driveways and internal travelways are conditioned to be gravel in design and maintained as such to allow for unimpeded ingress/egress by emergency service vehicles.

For the existing utility lines and the joint shared driveway easement, the responsibility for upkeep and maintenance shall belong to the property owners whose property the utility lines and driveway easement are located within.

The 100-year floodway is depicted on the Preliminary Plat with all existing structures to remain, none of which are located within the floodway and no expansions of structures proposed. No new structures are proposed at this time either.

Additionally, the properties are all within the critical path of the Pope Airfield's Accident Potential Zone 1. The Preliminary Plat will have a note stating such, and the approval letter will have a condition requiring coordination with RLUAC if any re-development, expansion, or additions to the properties are proposed prior to application submissions or permit approvals.

There are proposed recreational areas provided for the two existing duplex and existing triplex to conform to requirements for recreation areas found within the Town of Spring Lake Code of Ordinances Section 36-71.(8).

The applicant, Sean Pennings, is respectfully requesting DEV-0046-26 (Pronyl Builders Preliminary Plat) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting, and, if approved by the Board of Commissioners pursuant to Sec. 36-30.(c) of the Spring Lake Code of Ordinances, have the Board of Commissioners Chair, the Administrative Officer, or his/her designee signing the accompanying approval document and Preliminary Plat.

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this Preliminary Plat is consistent with the Town of Spring Lake Code of Ordinances requirements found within Section 36 for Subdivisions.

The approval document (Exhibit "A") has been prepared for signature by the Board of Commissioners Chair or Administrative Officer or his/her designee upon approval granted by the Town of Spring Lake Board of Commissioners for the Preliminary Plat per the Town of Spring Lake Code of Ordinances Section 36-30.(c).

The document to act as the Preliminary Plat is provided in Exhibit "B", attached.

Exhibits:        Exhibit "A"    –        DEV-0046-26 Approval Letter  
                     Exhibit "B"    –        DEV-0046-26 Preliminary Plat

Cc:

Records File

Town Programs Admin Assistant – Casey Noble

Town Manager, Town of Spring Lake – Dennis English

Town Clerk, Town of Spring Lake – Carly Autry

Current Planning Manager - Planning & Inspections Dept Cumberland County – Telly Shinas

**Exhibit "A"**  
**Conditions of Approval Letter**  
See Below

*[The following text is extremely faint and largely illegible. It appears to be a formal letter or document with several paragraphs of text, possibly including a signature block at the bottom. The text is mostly obscured by low contrast and bleed-through from the reverse side of the page.]*



Town of Spring Lake Board of Commissioners Action:	
Case Number: DEV-0046-26	
Project Name: Pronyl Builders LLC Subdivision	
X	Approved Conditionally
	Denied

Approval Effective Date: June 22, 2026
Approval Expiration Date: June 22, 2028
Approval Town of Spring Lake Board of Commissioners

**BOARD OF COMMISSIONERS DECISION: APPROVED**

- PRELIMINARY PLAT
- EXTENSION     REVISION
- APPROVED CONDITIONALLY
- DENIED.

**Type of Request:** Preliminary Plat to subdivide two existing parcels into six parcels. Lots 1-3 will contain a single-family dwelling on each Lot, and Lots 4-6 will contain multi-family dwellings on each Lot. All structures depicted are existing with no new structures, expansions, or additions proposed. All lots are abutting W Manchester Rd directly for at least 35'. Lots 1 and 2 have a proposed joint driveway easement. Lots 3-6 are proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow the Lots to travel across property lines to enter and exit from the shared joint driveway easement. No new structures or additions are proposed at this time. Subject to driveway permit approval through NCDOT & Town of Spring Lake where applicable. A utility easement is also proposed to allow for private maintenance and upkeep of existing utilities by the property owner(s).

**Location (PIN & Address):** 0502-24-8757 & 0502-24-7954 | 240, 244, 246, 248, 252, 254, 258, 260, 264, & 268 W Manchester Rd

**Acreage:** 8.11

**Zoning:** R-15

**Setbacks:** Front—30, Side—15, Rear—35

**Special District, MIA, or Overlay:** Within 5 Miles of Fort Bragg

**Owners/Agent/Applicant:** (Owners) Pronyl Builders LLC /(Agent) Mike Adams

The Preliminary Plat application provided, and materials presented attached as Exhibit "A", has been submitted for approval before the Town of Spring Lake Board of Commissioners on June 22, 2026. Based on the above information, the Town of Spring Lake Board of Commissioners have conditionally approved the application for a Preliminary Plat to establish a six Lot residential subdivision contingent upon adhering to the following conditions:

**Ordinance & Review Process Related Conditions:**

1. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.

2. Any future re-development, expansion, or additions to any property illustrated within this Group Development Site Plan shall require a pre-application meeting with Town of Spring Lake Staff and/or Cumberland County Current Planning Staff prior to formal submittal for any applications and/or permits.
  3. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
  4. All structures shown on the Preliminary Plat are existing with no new structures proposed. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat related to PLAT-0032-26 has been approved by the Town of Spring Lake.
  5. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
  6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
  7. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-15 zoning district must be complied with, as applicable.
  8. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commence of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised Preliminary Plat.
  9. 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, including any required by the Town of Spring Lake.
  10. A minimum five foot No Access Easement shall be recorded and platted for Lots 3 and 6 to not have direct access from W Manchester Rd, S.R. 1451. These lots shall only have access to W Manchester Rd via the proposed Joint Driveway Easement shown on the Preliminary Plat subject to NCDOT or Town of Spring Lake driveway permit approval, where applicable.
  11. With Lots 4-6 having multi-family dwellings on new residential Lots, a new Group Development approval shall be required to Final Plat recording.
  12. Lots 4 and 5 are proposed to have 1,000 sq ft of dedicated recreation area and Lot 6 is proposed to have 1,500 sq ft of dedicated recreation area for compliance with Group Development requirements of Sec. 36-71 of the Town of Spring Lake Code of Ordinances.
- Final Plat:**
13. The Final Plat must be submitted to the Town of Spring Lake Board of Commissioners for approval prior to recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
  14. The Preliminary Plat and Final Plat shall have notes stating the responsibility and maintenance of the existing water and sewer utility lines and the joint shared driveway easement shall belong to the property owner whose portion of the property those lines or easements are located within.
  15. Lots 4, 5, and 6 shall have a new Group Development Site Plan approved by the Town of Spring Lake prior to recordation of a Final Plat.
  16. A completed application for Final Plat shall be submitted via the Customer Self Service Portal: [https://selfservice.co.cumberland.nc.us/EnerGov\\_Prod/SelfService/#home](https://selfservice.co.cumberland.nc.us/EnerGov_Prod/SelfService/#home). Submit draft Final Plat and completed application and information using the Final Plat submittal checklist.
  17. At the time of Final Plat application, the draft Final Plat must be submitted and found in conformance with the approved Preliminary Plat including to have all proposed easement shown.
  18. The NC Department of Transportation (NCDOT) stamp must be affixed to the Final Plat prior to the Town of Spring Lake Administrative Officer or his/her designee's signature.
  19. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the Final Plat when submitted for final approval.

20. Any/All easements must be reflected on the Final Plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
21. All proposed easements on the Final Plat shall be referenced and recorded on all deeds for the lots shown.

#### Utilities

22. All existing and any proposed expansion or addition of structures shall be connected to Water and Sewer services provided by the Town of Spring Lake. The developer/builder shall coordinate with the Town of Spring Lake for any extension and/or connection requirements of any utility lines.
23. All water and sewer utilities lines shall be the responsibility of the property owner within which the respective lines exist for maintenance and upkeep.
24. A utility easement is proposed to allow for private maintenance and upkeep of the existing and any future utilities by the property owner(s).

#### Outside Agency Related Conditions and Advisories:

##### NC Department of Transportation:

25. Driveway Permit required for all proposed joint driveway connection points to W Manchester Rd, S.R. 1451.
26. Change of use of subject properties and/or construction of any new connection or alteration of any existing connection shall require an approved Driveway permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.
  - a. Change of use of subject properties shall require an approved Driveway Permit. 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.
  - b. In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.
  - c. Note: In the event the NCDOT driveway process alters the site plan in any manner, three copies of a revised site plan (and \$50.00 revision fee) must be submitted for staff review and approved prior to permit application.
  - d. Note: The owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within the right-of-way at the time of driveway permit application [§ 136-18(29), NCGS]

##### Town of Spring Lake Fire Marshal

###### 503.1.1

27. The fire access road shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

###### 503.2.1

28. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and vertical clearance of 13 feet 6 inches.
29. All driveways and internal travelways serving this development shall be built and maintained to at least a gravel design standard to allow for unimpeded access and travel by all emergency service vehicles.
30. The responsibility for upkeep and maintenance of the joint shared driveway easement for the gravel driveways and internal travelways shall belong to the property owner whose property contains that portion of the easement.

##### Town of Spring Lake Stormwater

31. No comments or conditions provided at this time.

**RLUAC**

- 32. The Preliminary Plat and Final Plat shall have a note stating that all properties are located within the Pope Field Accident Potential Zone 1.
- 33. Prior to any re-development, expansion, or addition, the developer shall coordinate with RLUAC for comments and/or conditions prior to any Preliminary Plat submissions or permit approvals.

**Advisory Conditions**

- 34. If any fill, new construction, substantial improvements, or any other developments are proposed within the areas designated as the 100-year floodplain, no permits shall be issued unless all provisions under Sec. 20-49 Floodways and Nonencroachment Areas are satisfied.

**\*\* CERTIFICATION OF PRELIMINARY PLAT APPROVAL \*\***  
**TOWN OF SPRING LAKE BOARD OF COMMISSIONERS**

This Preliminary Plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2026  
Expiration Date: 6/22/2028

Chairman of the Spring Lake Board of Commissioners or Administrative Officer or Designee

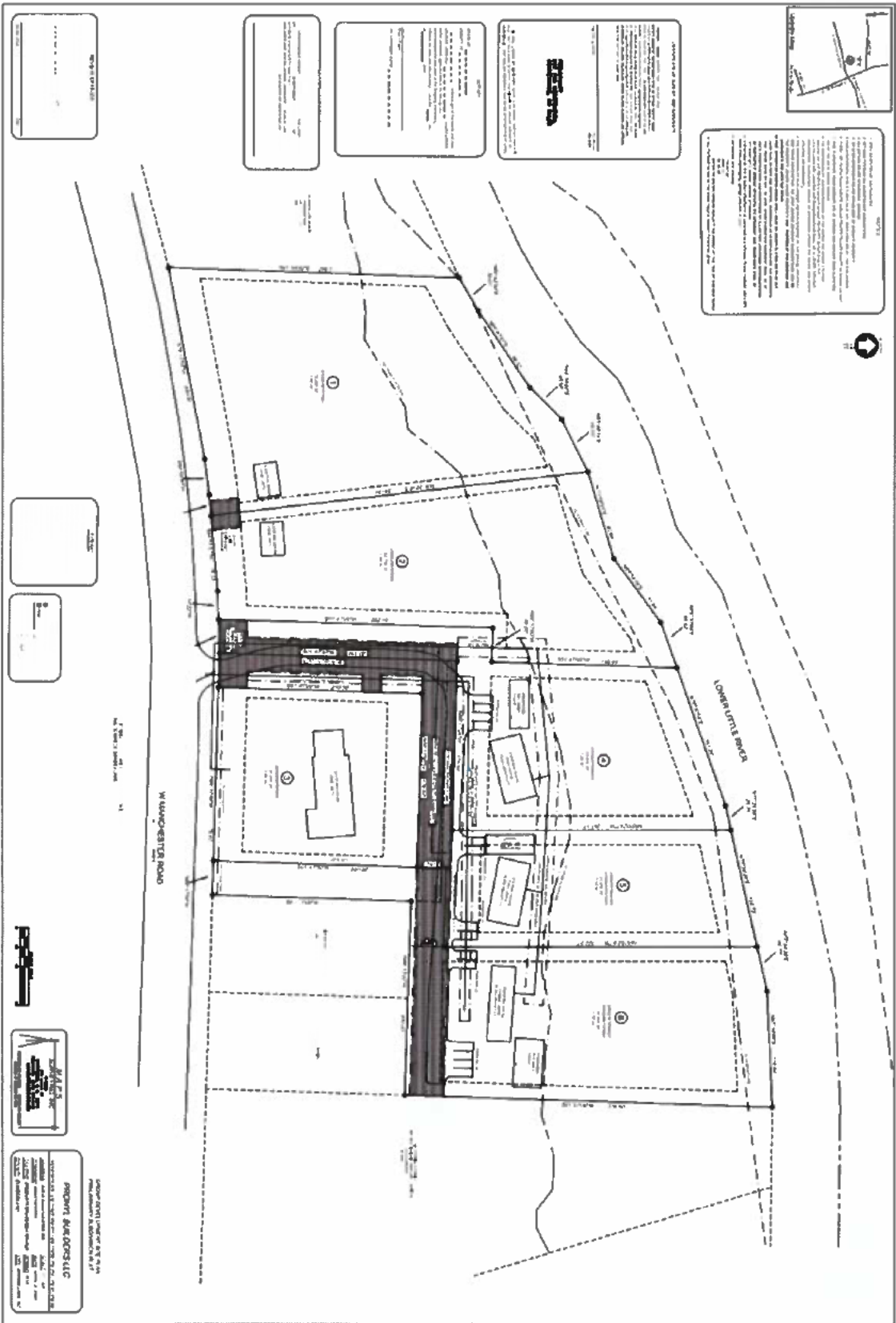
.....  
Project Number: DEV-0046-26    Project Name: Pronyl Builders LLC Subdivision  
Approval Type: Preliminary Plat  
REID No.(s): 0502-24-9757 & 0502-24-7954  
Zoning: R15    Overlay: 5 Mile Distance of Ft. Bragg    MIA: N/A

**Attention:** The combination of this approved Preliminary Plat and the Conditions of Approval Letter constitutes formal development approval.

Exhibit "A"—Pronyl Builders LLC Preliminary Plat



**Exhibit "B"**  
**Preliminary Plat**  
See Below



DATE: 10/15/03  
 DRAWN BY: J. J. [unreadable]  
 CHECKED BY: [unreadable]

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 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
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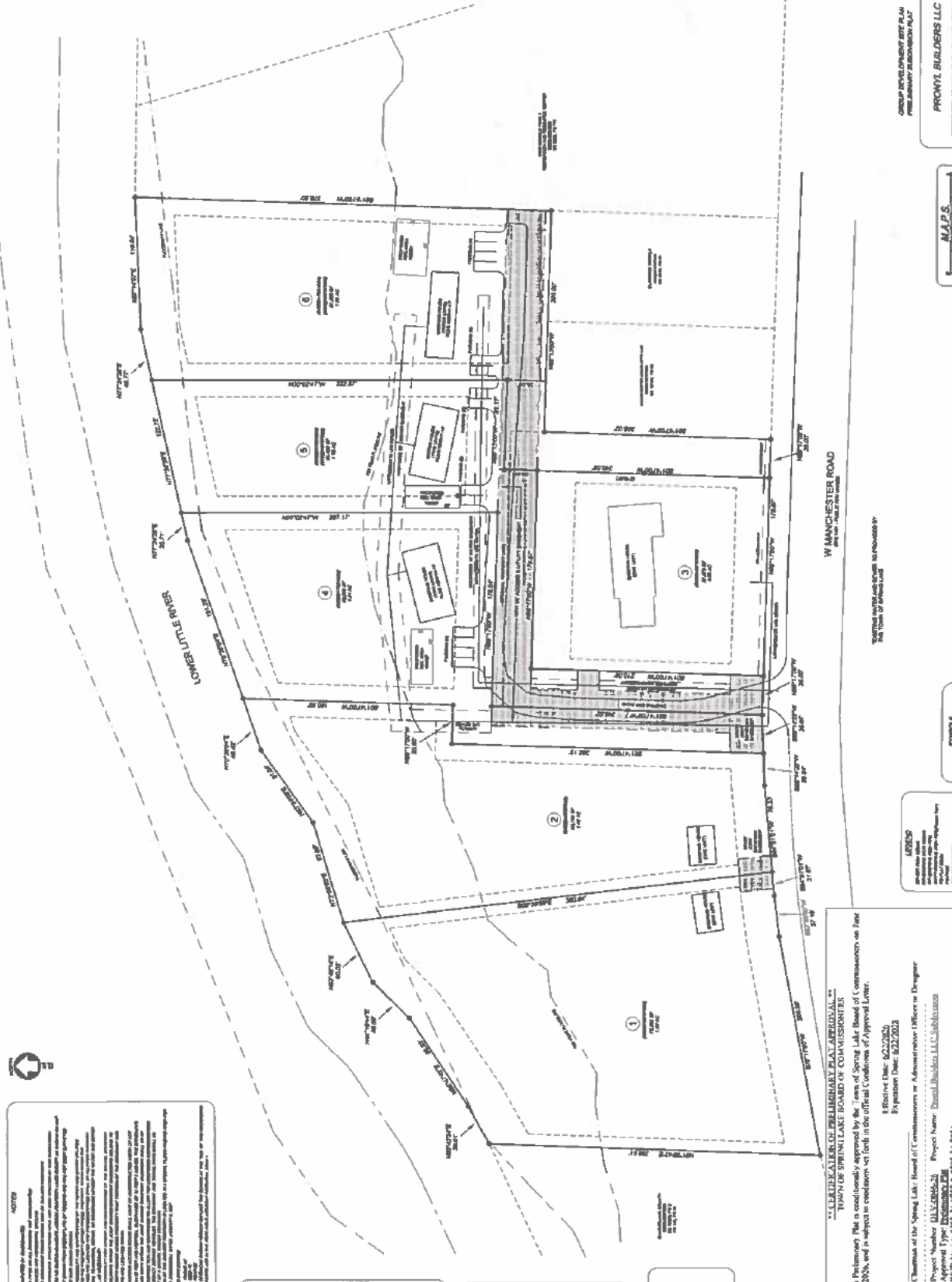


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**NOTES**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO THE EXTERIOR FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO THE INTERIOR FACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO THE EXTERIOR FACE UNLESS OTHERWISE NOTED.



**STATEMENT OF WORK**

The contractor shall be responsible for the construction of the project in accordance with the approved plans and specifications. The contractor shall also be responsible for obtaining all necessary permits and licenses. The contractor shall also be responsible for maintaining access to all adjacent properties at all times.

**CONTRACTOR'S OBLIGATIONS**

The contractor shall be responsible for the construction of the project in accordance with the approved plans and specifications. The contractor shall also be responsible for obtaining all necessary permits and licenses. The contractor shall also be responsible for maintaining access to all adjacent properties at all times.

**CONTRACTOR'S OBLIGATIONS**

The contractor shall be responsible for the construction of the project in accordance with the approved plans and specifications. The contractor shall also be responsible for obtaining all necessary permits and licenses. The contractor shall also be responsible for maintaining access to all adjacent properties at all times.

**PLANNING DEPARTMENT**

**TOWN OF SPRING LAKE BOARD OF COMMISSIONERS**

This Preliminary Plan is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2024, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 06/22/2024  
Expiration Date: 06/22/2026

Chairman of the Spring Lake Board of Commissioners or Administrative Officer or Designer:  
Project Number: 24-0005-21 Project Name: Daniel Builders LLC Subdivision  
RED No: 04-0005-21-000-24-204  
Zoning: R-1 Overlay: Subdivision of Lots, etc. MIA: No

ATTENTION: The commission of this approval Preliminary Plan is the Condition of Approval Letter constitutes formal development approval.

**PRELIMINARY PLAN**

Project Name: Daniel Builders LLC Subdivision  
RED No: 04-0005-21-000-24-204  
Zoning: R-1 Overlay: Subdivision of Lots, etc. MIA: No

**LEGEND**

Symbol: [Symbol] Description: [Description]

**LEGEND**

Symbol: [Symbol] Description: [Description]

**LEGEND**

Symbol: [Symbol] Description: [Description]

**GROUP DEVELOPMENT SITE PLAN**

**PROXY BUILDERS LLC**

ADDRESS: 100 W. MANCHESTER RD. SUITE 100  
SPRING LAKE, NC 27081  
PHONE: 704.399.1234  
WWW.PROXYBUILDERS.COM



<b>Town of Spring Lake Board of Commissioners Action:</b>	
<b>Case Number: DEV-0046-26</b>	
<b>Project Name: Pronyl Builders LLC Subdivision</b>	
X	<b>Approved Conditionally</b>
	<b>Denied</b>

<b>Approval Effective Date: June 22, 2026</b>
<b>Approval Expiration Date: June 22, 2028</b>
<b>Approval Town of Spring Lake Board of Commissioners</b>

**BOARD OF COMMISSIONERS DECISION: APPROVED**

- PRELIMINARY PLAT**  
 **EXTENSION**     **REVISION**  
 **APPROVED CONDITIONALLY**  
 **DENIED.**

**Type of Request:** Preliminary Plat to subdivide two existing parcels into six parcels. Lots 1-3 will contain a single-family dwelling on each Lot, and Lots 4-6 will contain multi-family dwellings on each Lot. All structures depicted are existing with no new structures, expansions, or additions proposed. All lots are abutting W Manchester Rd directly for at least 35'. Lots 1 and 2 have a proposed joint driveway easement. Lots 3-6 are proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow the Lots to travel across property lines to enter and exit from the shared joint driveway easement. No new structures or additions are proposed at this time. Subject to driveway permit approval through NCDOT & Town of Spring Lake where applicable. A utility easement is also proposed to allow for private maintenance and upkeep of existing utilities by the property owner(s).

**Location (PIN & Address):** 0502-24-8757 & 0502-24-7954 | 240, 244, 246, 248, 252, 254, 258, 260, 264, & 268 W Manchester Rd

**Acreage:** 8.11

**Zoning:** R-15

**Setbacks:** Front—30, Side—15, Rear—35

**Special District, MIA, or Overlay:** Within 5 Miles of Fort Bragg

**Owners/Agent/Applicant:** (Owners) Pronyl Builders LLC /(Agent) Mike Adams

The Preliminary Plat application provided, and materials presented attached as Exhibit "A", has been submitted for approval before the Town of Spring Lake Board of Commissioners on June 22, 2026. Based on the above information, the Town of Spring Lake Board of Commissioners have conditionally approved the application for a Preliminary Plat to establish a six Lot residential subdivision contingent upon adhering to the following conditions:

**Ordinance & Review Process Related Conditions:**

1. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.

2. Any future re-development, expansion, or additions to any property illustrated within this Group Development Site Plan shall require a pre-application meeting with Town of Spring Lake Staff and/or Cumberland County Current Planning Staff prior to formal submittal for any applications and/or permits.
3. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
4. All structures shown on the Preliminary Plat are existing with no new structures proposed. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat related to PLAT-0032-26 has been approved by the Town of Spring Lake.
5. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-15 zoning district must be complied with, as applicable.
8. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commence of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised Preliminary Plat.
9. 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, including any required by the Town of Spring Lake.
10. A minimum five foot No Access Easement shall be recorded and platted for Lots 3 and 6 to not have direct access from W Manchester Rd, S.R. 1451. These lots shall only have access to W Manchester Rd via the proposed Joint Driveway Easement shown on the Preliminary Plat subject to NCDOT or Town of Spring Lake driveway permit approval, where applicable.
11. With Lots 4-6 having multi-family dwellings on new residential Lots, a new Group Development approval shall be required to Final Plat recording.
12. Lots 4 and 5 are proposed to have 1,000 sq ft of dedicated recreation area and Lot 6 is proposed to have 1,500 sq ft of dedicated recreation area for compliance with Group Development requirements of Sec. 36-71 of the Town of Spring Lake Code of Ordinances.

**Final Plat:**

13. The Final Plat must be submitted to the Town of Spring Lake Board of Commissioners for approval prior to recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
14. The Preliminary Plat and Final Plat shall have notes stating the responsibility and maintenance of the existing water and sewer utility lines and the joint shared driveway easement shall belong to the property owner whose portion of the property those lines or easements are located within.
15. Lots 4, 5, and 6 shall have a new Group Development Site Plan approved by the Town of Spring Lake prior to recordation of a Final Plat.
16. A completed application for Final Plat shall be submitted via the Customer Self Service Portal: [https://selfservice.co.cumberland.nc.us/EnerGov\\_Prod/SelfService#/home](https://selfservice.co.cumberland.nc.us/EnerGov_Prod/SelfService#/home). Submit draft Final Plat and completed application and information using the Final Plat submittal checklist.
17. At the time of Final Plat application, the draft Final Plat must be submitted and found in conformance with the approved Preliminary Plat including to have all proposed easement shown.
18. The NC Department of Transportation (NCDOT) stamp must be affixed to the Final Plat prior to the Town of Spring Lake Administrative Officer or his/her designee's signature.
19. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the Final Plat when submitted for final approval.

20. Pursuant to Sec. 36-129.(6), the following certificate shall appear on the final plat for the Clerk of the Town of Spring Lake's signature:

Approved by the Town of Spring Lake on the _____ day of _____, 20__.	
Signed _____ (SEAL) Clerk*	

21. Any/All easements must be reflected on the Final Plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. All proposed easements on the Final Plat shall be referenced and recorded on all deeds for the lots shown.

**Utilities**

23. All existing and any proposed expansion or addition of structures shall be connected to Water and Sewer services provided by the Town of Spring Lake. The developer/builder shall coordinate with the Town of Spring Lake for any extension and/or connection requirements of any utility lines.
24. All water and sewer utilities lines shall be the responsibility of the property owner within which the respective lines exist for maintenance and upkeep.
25. A utility easement is proposed to allow for private maintenance and upkeep of the existing and any future utilities by the property owner(s).

**Outside Agency Related Conditions and Advisories:**

**NC Department of Transportation:**

26. Driveway Permit required for all proposed joint driveway connection points to W Manchester Rd, S.R. 1451.
27. Change of use of subject properties and/or construction of any new connection or alteration of any existing connection shall require an approved Driveway permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.
- a. Change of use of subject properties shall require an approved Driveway Permit. 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.
  - b. In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.
  - c. Note: In the event the NCDOT driveway process alters the site plan in any manner, three copies of a revised site plan (and \$50.00 revision fee) must be submitted for staff review and approved prior to permit application.
  - d. Note: The owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within the right-of-way at the time of driveway permit application [§ 136-18(29), NCGS]

**Town of Spring Lake Fire Marshal**

**503.1.1**

28. The fire access road shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**503.2.1**

- 29. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and vertical clearance of 13 feet 6 inches.
- 30. All driveways and internal travelways serving this development shall be built and maintained to at least a gravel design standard to allow for unimpeded access and travel by all emergency service vehicles.
- 31. The responsibility for upkeep and maintenance of the joint shared driveway easement for the gravel driveways and internal travelways shall belong to the property owner whose property contains that portion of the easement.

**Town of Spring Lake Stormwater**

- 32. No comments or conditions provided at this time.

**RLUAC**

- 33. The Preliminary Plat and Final Plat shall have a note stating that all properties are located within the Pope Field Accident Potential Zone 1.
- 34. Prior to any re-development, expansion, or addition, the developer shall coordinate with RLUAC for comments and/or conditions prior to any Preliminary Plat submissions or permit approvals.

**Advisory Conditions**

- 35. If any fill, new construction, substantial improvements, or any other developments are proposed within the areas designated as the 100-year floodplain, no permits shall be issued unless all provisions under Sec. 20-49 Floodways and Nonencroachment Areas are satisfied.

**\*\* CERTIFICATION OF PRELIMINARY PLAT APPROVAL \*\***  
**TOWN OF SPRING LAKE BOARD OF COMMISSIONERS**

This Preliminary Plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2026  
 Expiration Date: 6/22/2028

\_\_\_\_\_  
 Chairman of the Spring Lake Board of Commissioners or Administrative Officer or Designee

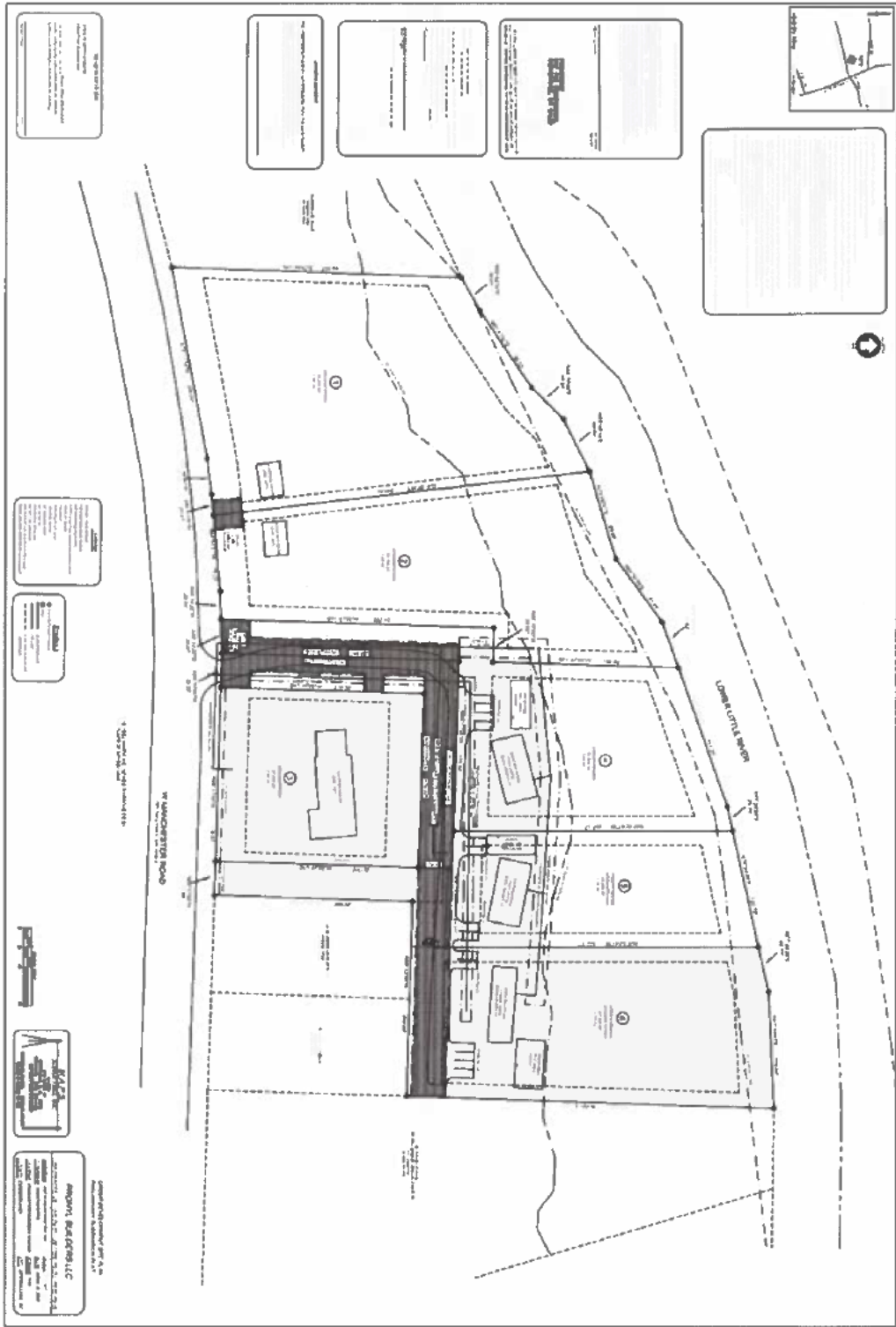
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Project Number: DEV-0046-26    Project Name: Pronyl Builders LLC Subdivision  
 Approval Type: Preliminary Plat  
 REID No.(s): 0502-24-8757 & 0502-24-7954  
 Zoning: R15            Overlay: 5 Mile Distance of Ft. Bragg    MIA: N/A

**Attention:** The combination of this approved Preliminary Plat and the Conditions of Approval Letter constitutes formal development approval.

Exhibit "A"—Pronyl Builders LLC Preliminary Plat

Exhibit "A"—Pronyl Builders LLC Preliminary Plat





# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

DEV-0059-26

**Presenter**

Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.

**Summary/Description**

**Requested Action:**

Consideration of approval of DEV-0059-26, a Residential Group Development Site Plan for three existing multi-family structures located on W. Manchester Road. The proposal is associated with Preliminary Plat DEV-0046-26 and Final Plat PLAT-0032-26 and would establish a Group Development consisting of two duplexes and one triplex on separate lots.

**Background:**

The subject property encompasses approximately 3.97 acres and is zoned R-15. The site plan includes shared driveway and cross-access easements to provide a single point of access to W. Manchester Road, utility easements for maintenance of existing utilities, required parking spaces, and dedicated recreation areas in compliance with Group Development standards. No new structures, additions, or expansions are proposed as part of this request. Lots 1-3 contain existing single-family homes and are not included in the Group Development approval.

The property is located within the Pope Field Accident Potential Zone 1 (APZ-1) and contains a portion of the 100-year floodway; however, all existing structures are outside the floodway and no new development is proposed. The plan provides two parking spaces per dwelling unit and recreation areas totaling 1,000 square feet for each duplex and 1,500 square feet for the triplex, consistent with Town Code requirements. Cumberland County Planning has determined the site plan is consistent with the Town of Spring Lake Code of Ordinances.

**Staff Recommendation:**

Approval of the Group Development Site Plan subject to the conditions outlined in the attached Conditions of Approval Letter, including compliance with the associated Preliminary Plat approval, maintenance responsibilities for shared access and utility easements, fire access requirements, driveway permit approvals, and coordination with RLUAC for any future redevelopment or expansion of the property.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

**DEV-0059-26** Town Transmittal Letter

**DEV-0059-26** Approval Letter

**DEV-0059-26** Group Development Site Plan



June 17<sup>th</sup>, 2026

MEMO TO: TOWN OF SPRING LAKE  
BOARD OF COMMISSIONERS,  
ADMINISTRATIVE OFFICER (TOWN  
MANAGER OR DESIGNEE), AND TOWN  
CLERK

FROM: TIMOTHY DOERSAM  
CUMBERLAND COUNTY PLANNING AND  
INSPECTIONS- PLANNER II

SUBJECT: APPLICANT REQUEST FOR  
PLACEMENT ON JUNE 22, 2026 TOWN OF  
SPRING LAKE BOARD OF  
COMMISSIONERS MEETING

**REQUESTED ACTION: APPROVAL OF DEV-0059-26:**

Residential Group Development Site Plan on three parcels under single ownership related to a Preliminary Plat and Final Plat subdivision, Case# DEV-0046-26 and PLAT-0032-26, respectively, to establish a new Group Development approval for three Lots containing a structure on each. Two structures are duplexes and one structure is a triplex. All structures within the Group Development are proposed to have two parking spaces per dwelling unit pursuant to Section 36-71.(6) for Group Developments within the Town of Spring Lake Code of Ordinances. Each structure is proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow travel across property lines to enter and exit from the shared joint driveway easement. To ensure the proposed joint driveway easement is utilized by all property owners/tenants of the existing triplex, a no access easement is proposed along the front yard property line parallel to W Manchester Rd for Lot 6 containing the triplex.

Lots 1-3 shown on the Group Development Site Plan also contain existing single-family detached homes with no proposed new structures, expansions, or additions. If any re-development for these lots in the future would constitute a Group Development, then a new Group Development Site Plan for the lots would be required to be submitted for consistency review by Cumberland County Current Planning and approval by the Town of Spring Lake. A condition within the approval letter will require a pre-application meeting with the applicant, Town of Spring Lake Staff, and Cumberland County Current Planning Staff prior to any formal submission for review.

A utility easement is proposed along the joint driveway easement to allow for the property owner(s) to maintain and upkeep any and all existing or future utility line connections unobstructed.

The driveways and internal travelways are conditioned to be gravel in design and maintained as such to allow for unimpeded ingress/egress by emergency service vehicles.

For the existing utility lines and the joint shared driveway easement, the responsibility for upkeep and maintenance shall belong to the property owners whose property the utility lines and driveway easement are located within.

The 100-year floodway is depicted on the Group Development Site Plan with all existing structures to remain, none of which are located within the floodway and no expansions of structures proposed. No new structures are proposed at this time either.

A technical review team transmittal letter with the group development site plan was sent out to the review team members on June 3, 2026 for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on June 9, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact. The Spring Lake Fire Chief did provide comments about concerns with the driveway maintaining sufficient clearance, width, and construction for any fire apparatuses which may need to respond to an emergency.

Additionally, the properties are all within the critical path of the Pope Airfield's Accident Potential Zone 1. The Group Development Site Plan will have a note stating such, and the approval letter will have a condition requiring coordination with RLUAC if any re-development, expansion, or additions to the properties are proposed prior to application submissions or permit approvals.

There are proposed recreational areas provided for the two existing duplex and existing triplex to conform to requirements for recreation areas found within the Town of Spring Lake Code of Ordinances Section 36-71.(8). As no formula or parks and recreation fee calculation has been provided to the applicant by the Town of Spring Lake, the applicant has elected to provide recreation space on the Group Development Site Plan at the required minimum of 500 sq. ft. per dwelling unit for each structure on their respective Lots.

The applicant, Sean Pennings, is respectfully requesting DEV-0059-26 (Pronyl Builders Group Development) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting, and, if approved by the Board of Commissioners pursuant to Sec. 36-2 of the Spring Lake Code of Ordinances, have the Board of Commissioners Chair, the Administrative Officer, or his/her designee signing the accompanying approval document and Group Development Site Plan.

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this site plan consistent with the Town of Spring Lake Code of Ordinances.

The approval document (Exhibit "A", attached) has been prepared for signature approval by the Administrative Officer per the Town of Spring Lake Code of Ordinances Section 42-63.1.(b) following approval by the Town of Spring Lake Board of Commissioners in relation to the Preliminary Plat and Final Plat cases.

The Proposed Non-Residential Site Plan, Exhibit "B", attached, illustrates the existing structures as proposed on their own individuals lots with the following features & amenities:

- 35'-wide shared joint driveway and utility easement for all group development parcels to use for a single access point to connect to W Manchester Rd.
- Each structure provides 500 sq. ft. of recreation area per dwelling unit contained within the structure.
- Two parking spaces per dwelling unit is provided on each Lot. Pursuant to Section 36-71.(6) and within the approval letter attached in Exhibit "A", each space shall not be less than 9'x20' in dimensions.
- A 100-year floodway is located on the property abutting the Lower Little River. No proposed buildings are shown within the floodway. If any structures are proposed within the floodway, all provisions of Section 20-49 of the Spring Lake Code of Ordinances shall be adhered to.

Exhibits:        Exhibit "A"        –        DEV-0059-26 Approval Letter  
                      Exhibit "B"        –        DEV-0059-26 Residential Group Development Site Plan

Cc:

Records File

Town Programs Admin Assistant, Town of Spring Lake – Casey Noble

Town Manager, Town of Spring Lake – Dennis English

Town Clerk, Town of Spring Lake – Carly Autry

Current Planning Manager - Planning & Inspections Dept Cumberland County – Telly Shinas

**Exhibit "A"**  
**Conditions of Approval Letter**  
See Below



<b>Town of Spring Lake Board of Commissioners Action:</b>	
Case Number: DEV-0059-26 related to DEV-0046-26 and PLAT-0032-26	
Project Name: Pronyl Builders LLC Group Development	
X	Approved Conditionally
	Denied

Approval Effective Date: June 22, 2026
Approval Expiration Date: June 22, 2028
Approval Town of Spring Lake Board of Commissioners

**BOARD OF COMMISSIONERS DECISION: APPROVED**

- GROUP DEVELOPMENT SITE PLAN
- EXTENSION     REVISION
- APPROVED CONDITIONALLY
- DENIED.

**Type of Request:** Site Plan for Group Development for three existing structures (two duplexes and one triplex) being established on their own individual lots via a six-lot subdivision related to DEV-0046-26 and PLAT-0032-26. Lots 1-3 are all existing single-family detached homes and not included in any Group Development approval nor applicable to Group Development requirements. Both Lot 4 and 5 contain a duplex each, and Lot 6 contain the triplex. The maximum height of all existing structures is no greater than 17-feet. Each structure is proposed to have two parking spaces and 500 sq ft of recreation area per dwelling unit contained within. No structure is to have direct single access to W Manchester Rd, S.R. 1451. Access to W Manchester Rd shall come from a proposed 35'-wide joint driveway access easement. No new structures or additions are proposed at this time. Subject to driveway permit approval through NCDOT & Town of Spring Lake where applicable. A utility easement is also proposed to allow for private maintenance and upkeep of existing utilities by the property owner(s).

**Location (PIN & Address):** 0502-24-7954 | 244, 246, 248, 252, 254, 258, & 260 W Manchester Rd

**Acreage:** 3.97

**Zoning:** R-15

**Setbacks:** Front—30, Side—15, Rear—35

**Special District, MIA, or Overlay:** Within 5 Miles of Fort Bragg

**Owners/Agent/Applicant:** (Owners) Pronyl Builders LLC /(Agent) Mike Adams

The Group Development Site Plan, application provided, and materials presented attached as Exhibit "A", has been submitted for approval before the Town of Spring Lake Board of Commissioners on June 22, 2026. Based on the above information, the Town of Spring Lake Board of Commissioners have conditionally approved the application for a Group Development Site Plan to establish a group development for three existing structures containing two duplexes and a triplex contingent upon adhering to the following conditions:

**Ordinance & Review Process Related Conditions:**

1. Group Development is also subject to conditions of approval of DEV-0046-26 (Preliminary Plat).
2. Any future re-development, expansion, or additions to any property illustrated within this Group Development Site Plan shall require a pre-application meeting with Town of Spring Lake Staff and Cumberland County Current Planning Staff prior to formal submittal for any applications and/or permits.
3. Lots 1-3 as existing and illustrated on the approved Group Development Site Plan are existing single-family detached structures with only one structure per lot. These lots are not approved for any Group Development activity or permits with this approval, and they are not subject to the Group Development requirements of Section 36-71 of the Spring Lake Code of Ordinances. If any expansions or additions of these lots would constitute a Group Development, then a new Group Development Site Plan shall be submitted for the Lot(s) after a pre-application meeting has been held with Town of Spring Lake Staff and Cumberland County Current Planning Staff.
4. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
5. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
6. All structures shown on the Group Development Site Plan are existing with no new structures proposed. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat related to PLAT-0032-26 has been approved by the Town of Spring Lake.
7. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
8. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
9. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-15 zoning district must be complied with, as applicable. Additionally, pursuant to Section 36-71.(2) in the Spring Lake Code of Ordinances, for any proposed building on the periphery of a group development it shall observe the minimum yard setback requirements for the district in which the development occurs. The judgment of the administrative officer as to what constitutes the front, rear, and side yards of each building in the group development shall be final.
10. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised site plan and preliminary plat.
11. 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, including any required by the Town of Spring Lake.
12. A minimum five foot No Access Easement shall be recorded and platted for Lot 6 to not have direct access from W Manchester Rd, S.R. 1451. This Lot shall only have access to W Manchester Rd via the proposed Joint Driveway Easement shown on the Group Development Site Plan subject to NCDOT or Town of Spring Lake driveway permit approval, where applicable.
13. Per Section 36-71.(3) in the Spring Lake Code of Ordinances, any proposed buildings within group developments under single ownership shall be separated by a minimum distance of 20 feet plus ten feet for each story above two stories. In no case shall any part of a principal building be located closer than 20 feet to any part of another principal building.
14. Per Section 36-71.(6) in the Spring Lake Code of Ordinances, all parking shall be provided in accordance with the applicable zoning regulations. A minimum of two spaces per dwelling unit in each structure shall be provided for tenants. Each space shall be not less than 9'x20' in dimensions.
15. Per Section 36-71.(8) in the Spring Lake Code of Ordinances, a minimum of 500 sq. ft. of recreation area shall be provided per dwelling unit within the Lot containing each structure. Each duplex shall provide at least 1,000 sq. ft. of recreation area, and the triplex shall provide at least 1,500 sq. ft. of recreation area as shown on the Group Development site plan.

16. Per Section 36-71 (4) of the Spring Lake Code of Ordinances, the property to be developed must have a boundary line or lines contiguous with and giving direct vehicular access to and from one or more public streets.
17. The Group Development Site Plan shall have notes stating the responsibility and maintenance of the existing water and sewer utility lines and the joint shared driveway easement shall belong to the property owner whose portion of the property those lines or easements are located within.

#### Utilities

18. All existing and any proposed expansion or addition of structures shall be connected to Water and Sewer services provided by the Town of Spring Lake. The developer/builder shall coordinate with the Town of Spring Lake for any extension and/or connection requirements of any utility lines.
19. All water and sewer utilities lines shall be the responsibility of the property owner within which the respective lines exist for maintenance and upkeep.
20. A utility easement is proposed to allow for private maintenance and upkeep of the existing and any future utilities by the property owner(s).

#### Outside Agency Related Conditions and Advisories:

##### NC Department of Transportation and Access:

21. Driveway Permit required for all proposed joint driveway easement connection points to W Manchester Rd, S.R. 1451.
22. Change of use of subject properties and/or construction of any new connection or alteration of any existing connection shall require an approved Driveway permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6 District 2 office.
  - a. Change of use of subject properties shall require an approved Driveway Permit. 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.
  - b. In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.
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#### Town of Spring Lake Fire Marshal

##### 503.1.1

23. The fire access road shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

##### 503.2.1

24. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and vertical clearance of 13 feet 6 inches.
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#### Town of Spring Lake Stormwater

27. No comments or conditions provided at this time.

**RLUAC**

- 28. The Group Development Site Plan shall have a note stating that all properties are located within the Pope Field Accident Potential Zone 1.
- 29. Prior to any re-development, expansion, or addition, the developer shall coordinate with RLUAC for comments and/or conditions prior to any site plan submissions or permit approvals.

**Advisory Conditions**

- 30. If any fill, new construction, substantial improvements, or any other developments are proposed within the areas designated as the 100-year floodplain, no permits shall be issued unless all provisions under Sec. 20-49 Floodways and Nonencroachment Areas are satisfied.

**\*\* CERTIFICATION OF GROUP DEVELOPMENT SITE PLAN APPROVAL \*\***  
**TOWN OF SPRING LAKE BOARD OF COMMISSIONERS**

This Group Development Site Plan is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026 and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2028  
Expiration Date: 6/22/2028

\_\_\_\_\_  
Chairman of the Spring Lake Board of Commissioners or Administrative Officer or Designee

Project Number: DEV-0059-26 Project Name: Pronyl Builders LLC Group Development  
Approval Type: Group Development Site Plan  
REID No.(s): 0502-24-7954  
Zoning: R15 Overlay: 5 Mile Distance of Ft. Bragg MIA: N/A

Attention: The combination of this approved Group Development Site Plan and the Conditions of Approval Letter constitutes formal development approval.

Exhibit "A" – Pronyl Builders LLC Group Development Site Plan



**Exhibit "B"**  
**Group Development Site Plan**  
See Below





<b>Town of Spring Lake Board of Commissioners</b>	
<b>Action:</b>	
<b>Case Number: DEV-0059-26 related to DEV-0046-26 and PLAT-0032-26</b>	
<b>Project Name: Pronyl Builders LLC Group Development</b>	
X	<b>Approved Conditionally</b>
	<b>Denied</b>

<b>Approval Effective Date: June 22, 2026</b>
<b>Approval Expiration Date: June 22, 2028</b>
<b>Approval Town of Spring Lake Board of Commissioners</b>

**BOARD OF COMMISSIONERS DECISION: APPROVED**

- GROUP DEVELOPMENT SITE PLAN**
- EXTENSION**     **REVISION**
- APPROVED CONDITIONALLY**
- DENIED.**

**Type of Request:** Site Plan for Group Development for three existing structures (two duplexes and one triplex) being established on their own individual lots via a six-lot subdivision related to DEV-0046-26 and PLAT-0032-26. Lots 1-3 are all existing single-family detached homes and not included in any Group Development approval nor applicable to Group Development requirements. Both Lot 4 and 5 contain a duplex each, and Lot 6 contain the triplex. The maximum height of all existing structures is no greater than 17-feet. Each structure is proposed to have two parking spaces and 500 sq ft of recreation area per dwelling unit contained within. No structure is to have direct single access to W Manchester Rd, S.R. 1451. Access to W Manchester Rd shall come from a proposed 35'-wide joint driveway access easement. No new structures or additions are proposed at this time. Subject to driveway permit approval through NCDOT & Town of Spring Lake where applicable. A utility easement is also proposed to allow for private maintenance and upkeep of existing utilities by the property owner(s).

**Location (PIN & Address):** 0502-24-7954 | 244, 246, 248, 252, 254, 258, & 260 W Manchester Rd  
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#### **Utilities**

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#### **Outside Agency Related Conditions and Advisories:**

##### **NC Department of Transportation and Access:**

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  - b. In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.
  - c. Note: In the event the NCDOT driveway process alters the site plan in any manner, three copies of a revised site plan (and \$50.00 revision fee) must be submitted for staff review and approved prior to permit application.
  - d. Note: The owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within the right-of-way at the time of driveway permit application [§ 136-18(29), NCGS]

#### **Town of Spring Lake Fire Marshal**

##### **503.1.1**

23. The fire access road shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

##### **503.2.1**

24. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and vertical clearance of 13 feet 6 inches.
25. All driveways and internal travelways serving this development shall be built and maintained to at least a gravel design standard to allow for unimpeded access and travel by all emergency service vehicles.
26. The responsibility for upkeep and maintenance of the joint shared driveway easement for the gravel driveways and internal travelways shall belong to the property owner whose property contains that portion of the easement.

#### **Town of Spring Lake Stormwater**

27. No comments or conditions provided at this time.

**RLUAC**

- 28. The Group Development Site Plan shall have a note stating that all properties are located within the Pope Field Accident Potential Zone 1.
- 29. Prior to any re-development, expansion, or addition, the developer shall coordinate with RLUAC for comments and/or conditions prior to any site plan submissions or permit approvals.

**Advisory Conditions**

- 30. If any fill, new construction, substantial improvements, or any other developments are proposed within the areas designated as the 100-year floodplain, no permits shall be issued unless all provisions under Sec. 20-49 Floodways and Nonencroachment Areas are satisfied.

**\*\* CERTIFICATION OF GROUP DEVELOPMENT SITE PLAN APPROVAL \*\***  
TOWN OF SPRING LAKE BOARD OF COMMISSIONERS

This Group Development Site Plan is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026 and is subject to conditions set forth in the official Conditions of Approval Letter.

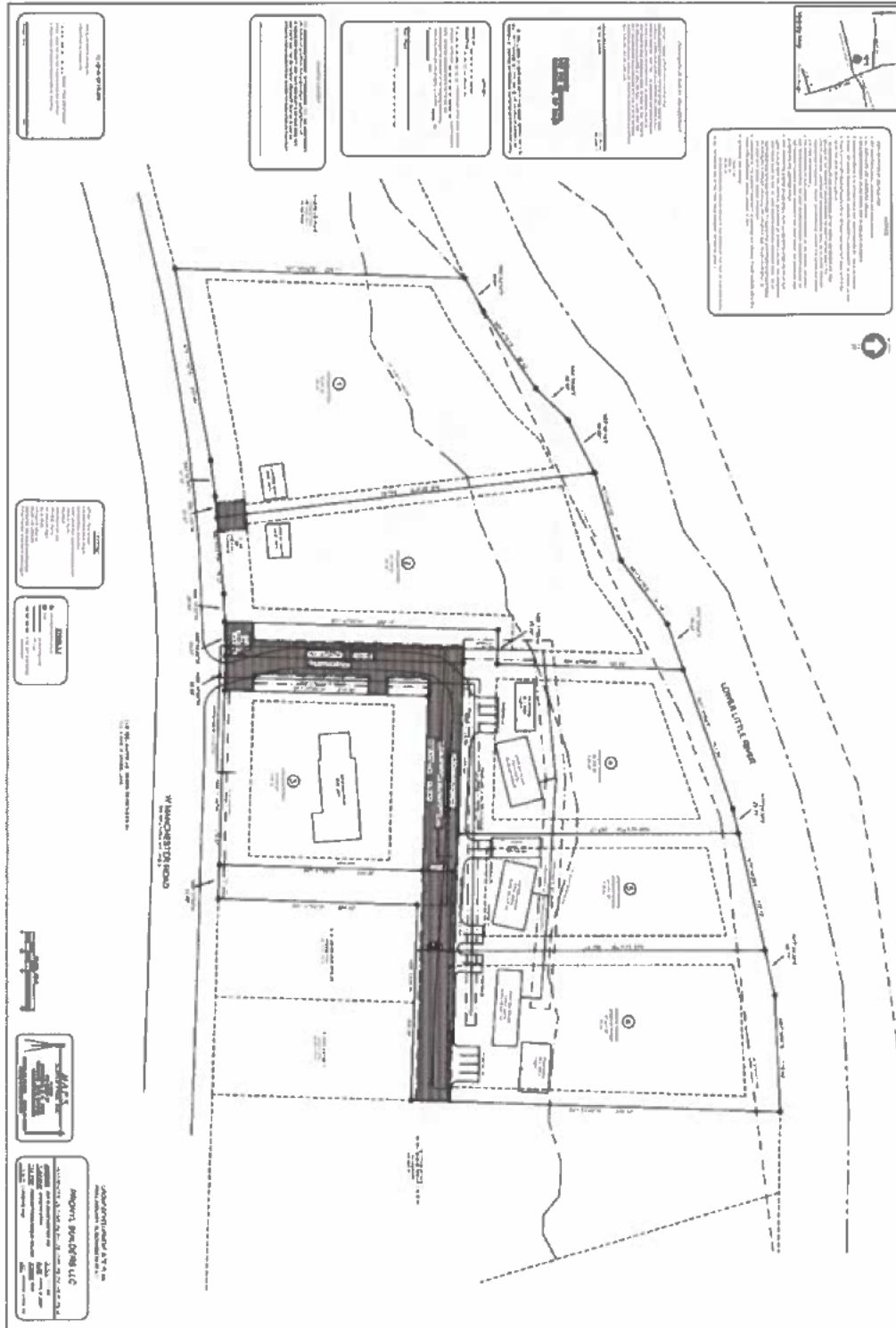
Effective Date: 6/22/2028  
Expiration Date: 6/22/2028

Chairman of the Spring Lake Board of Commissioners or Administrative Officer or Designee  
-----  
Project Number: DEV-0059-26    Project Name: Pronyl Builders LLC Group Development  
Approval Type: Group Development Site Plan  
REID No.(s): 0502-24-7954  
Zoning: R15            Overlay: 5 Mile Distance of Ft. Bragg    MIA: N/A

**Attention:** The combination of this approved Group Development Site Plan and the Conditions of Approval Letter constitutes formal development approval.

Exhibit "A"—Pronyl Builders LLC Group Development Site Plan

Exhibit "A"—Pronyl Builders LLC Group Development Site Plan





**NOTES**

1. All dimensions are in feet and inches.
2. All dimensions are in feet and inches.
3. All dimensions are in feet and inches.
4. All dimensions are in feet and inches.
5. All dimensions are in feet and inches.
6. All dimensions are in feet and inches.
7. All dimensions are in feet and inches.
8. All dimensions are in feet and inches.
9. All dimensions are in feet and inches.
10. All dimensions are in feet and inches.

**CONTRACTOR OF RECORD AND ADDRESS**

Contractor Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**DATE OF RECORD**

Date: \_\_\_\_\_

**DESIGNER**

Designer Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**APPROVALS**

\_\_\_\_\_  
 Title: \_\_\_\_\_

\_\_\_\_\_  
 Title: \_\_\_\_\_

**CERTIFICATION OF RECORD DEVELOPMENT WITH PLAN APPROVAL**

TOWN OF SPRING LAKE BOARD OF COMMISSIONERS

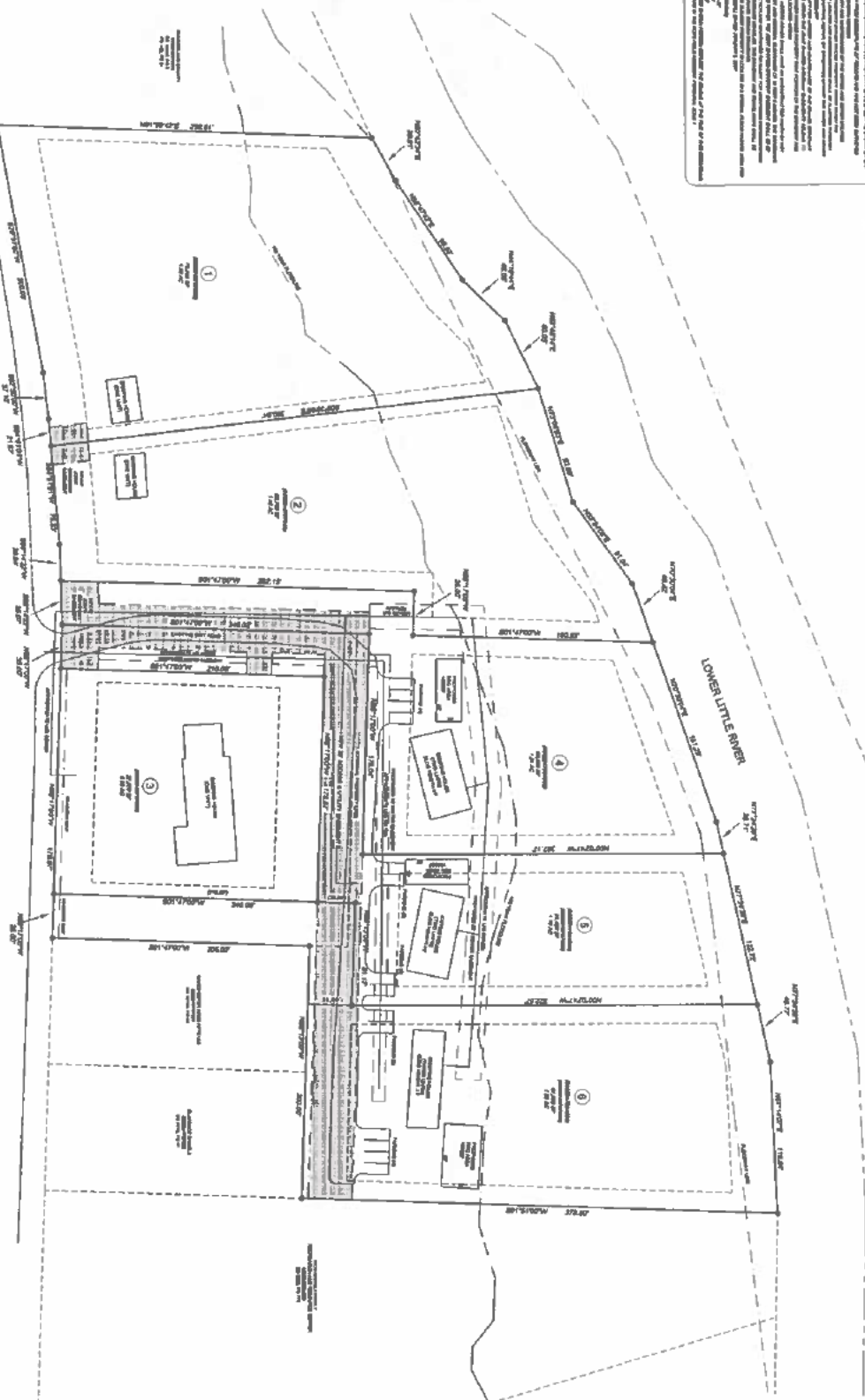
This Record Development Site Plan is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2018 and is subject to the conditions set forth in the official Conditions of Approval.

Effective Date: 6/22/2018

**CHARACTER OF THE SPRING LAKE BOARD OF COMMISSIONERS OR ADMINISTRATIVE OFFICER OR INSPECTOR**

Project Number: 18-00013-20  
 Project Name: \_\_\_\_\_  
 Approval Type: General Development, Conditional  
 REID No: 01-00013-2018  
 Zoning: B12  
 County: Spring Lake, District: \_\_\_\_\_, MA: SA

Approval: The combination of this approved Site Plan and the Conditions of Approval Letter constitutes formal development approval.



**LEGEND**

\_\_\_\_\_  
 \_\_\_\_\_

**GENERAL NOTES**

1. \_\_\_\_\_

2. \_\_\_\_\_

**PROXY BUILDERS LLC**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**PROXY BUILDERS LLC**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**PROXY BUILDERS LLC**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**PROXY BUILDERS LLC**

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 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**PROXY BUILDERS LLC**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

**PROXY BUILDERS LLC**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

PLAT-0032-26

**Presenter**

Timothy Doersam, Planner II, Cumberland County Planning & Inspections Dept.

**Summary/Description**

**Requested Action:**

Consideration of approval of PLAT-0032-26, a Final Plat submitted by Pronyl Builders LLC to subdivide two existing parcels on W. Manchester Road into six residential lots. Lots 1-3 are designated for single-family residential use, while Lots 4-6 contain existing multi-family residential uses, including two duplexes and one triplex.

**Background:**

The proposed Final Plat is associated with Preliminary Plat DEV-0046-26 and establishes six individual residential lots with shared access and utility easements. Lots 1 and 2 will utilize a joint driveway easement, while Lots 3-6 will access W. Manchester Road through a shared driveway and cross-access easement. A no-access easement is proposed along portions of the frontage to ensure use of the shared access system. Utility easements are also provided for the maintenance of existing and future utility infrastructure.

The property includes portions of the 100-year floodway and is located within the Pope Field Accident Potential Zone 1 (APZ-1). No new structures, additions, or expansions are proposed, and all existing structures remain outside the floodway. Recreational areas are provided for the duplex and triplex lots in accordance with Group Development requirements. Cumberland County Planning has determined the Final Plat is consistent with the Town of Spring Lake Code of Ordinances and the requirements of the R-15 zoning district.

**Staff Recommendation:**

Approve PLAT-0032-26, subject to the requirements of the associated Preliminary Plat approval and completion of all recordation requirements, including notarized signatures, NCDOT approval and stamping, and execution of the Final Plat prior to recording with the Cumberland County Register of Deeds.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

PLAT-0032-26 Town Transmittal Letter



June 17<sup>th</sup>, 2026

MEMO TO: TOWN OF SPRING LAKE BOARD OF COMMISSIONERS, ADMINISTRATIVE OFFICER (TOWN MANAGER OR DESIGNEE), AND TOWN CLERK

FROM: TIMOTHY DOERSAM CUMBERLAND COUNTY PLANNING AND INSPECTIONS- PLANNER II

SUBJECT: APPLICANT REQUEST FOR PLACEMENT ON JUNE 22, 2026 TOWN OF SPRING LAKE BOARD OF COMMISSIONERS MEETING

**REQUESTED ACTION: APPROVAL OF PLAT-0032-26:**

Final Plat to subdivide two existing parcels into six parcels. Lots 1-3 will contain a single-family dwelling on each Lot, and Lots 4-6 will contain multi-family dwellings on each Lot. Lots 4 and 5 to contain a duplex, and Lot 6 to contain a triplex, each with proposed parking spaces pursuant to Section 36-71.(6) for Group Developments within the Town of Spring Lake Code of Ordinances. All lots are abutting W Manchester Rd, S.R. 1451, directly for at least 35'. Lots 1 and 2 have a proposed joint driveway easement. Lots 3-6 are proposed to have a shared joint driveway easement for a single point of access, and a 35' cross-access easement is proposed to allow the Lots to travel across property lines to enter and exit from the shared joint driveway easement. To ensure the proposed joint driveway easement is utilized by all property owners/tenants of Lots 3 and 6, a no access easement is proposed along the front yard property line parallel to W Manchester Rd.

A utility easement is proposed along the joint driveway easement to allow for the property owner(s) to maintain and upkeep any and all existing or future utility line connections unobstructed.

A technical review team transmittal letter with the final plat was sent out to the review team members on June 3, 2026 for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on June 9, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact. The Spring Lake Fire Chief did provide comments about concerns with the driveway maintaining sufficient clearance, width, and construction for any fire apparatuses which may need to respond to an emergency.

If any re-development were proposed in the future for any lot, a condition within the approval letter will require a pre-application meeting with the applicant, Town of Spring Lake Staff, and Cumberland County Current Planning Staff prior to any formal submission for review.

The driveways and internal travelways are conditioned to be gravel in design and maintained as such to allow for unimpeded ingress/egress by emergency service vehicles.

For the existing utility lines and the joint shared driveway easement, the responsibility for upkeep and maintenance shall belong to the property owners whose property the utility lines and driveway easement are located within.

The 100-year floodway is depicted on the Final Plat with all existing structures to remain, none of which are located within the floodway and no expansions of structures proposed. No new structures are proposed at this time either.

Additionally, the properties are all within the critical path of the Pope Airfield's Accident Potential Zone 1. The Final Plat will have a note stating such, and the approval letter for the Preliminary Plat (Case # DEV-0046-26) will have a condition requiring coordination with RLUAC if any re-development, expansion, or additions to the properties are proposed prior to application submissions or permit approvals.

There are proposed recreational areas provided for the two existing duplex and existing triplex to conform to requirements for recreation areas found within the Town of Spring Lake Code of Ordinances Section 36-71.(8).

The applicant, Sean Pennings, is respectfully requesting PLAT-0032-26 (Pronyl Builders Final Plat) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting for approval pursuant to Sec. 36-31.(a) of the Spring Lake Code of Ordinances.

If approved, the Final Plat shall be provided to the Town of Spring Lake Town Clerk at a later date for signatures once the mylar has been printed with the surveyor and owner's notarized signatures affixed along with NCDOT's Stamp due to connecting to a State maintained roadway.

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this Final Plat is consistent with the Town of Spring Lake Code of Ordinances requirements found within Section 36 for Subdivisions and consistent with the R-15 Zoning District.

The document to act as the Final Plat is provided in Exhibit "A", attached. Per the Town of Spring Lake Code of Ordinances Section 36.31.(b), the Town of Spring Lake's Administrative Officer or designee shall have the Final Plat submitted for the necessary stamps and signatures prior to recordation of the Final Plat after the applicant has the necessary notarized signatures and NCDOT's stamp and signature affixed to the mylar.

Exhibits: Exhibit "A" – PLAT-0032-26 Plat

Cc:

Records File

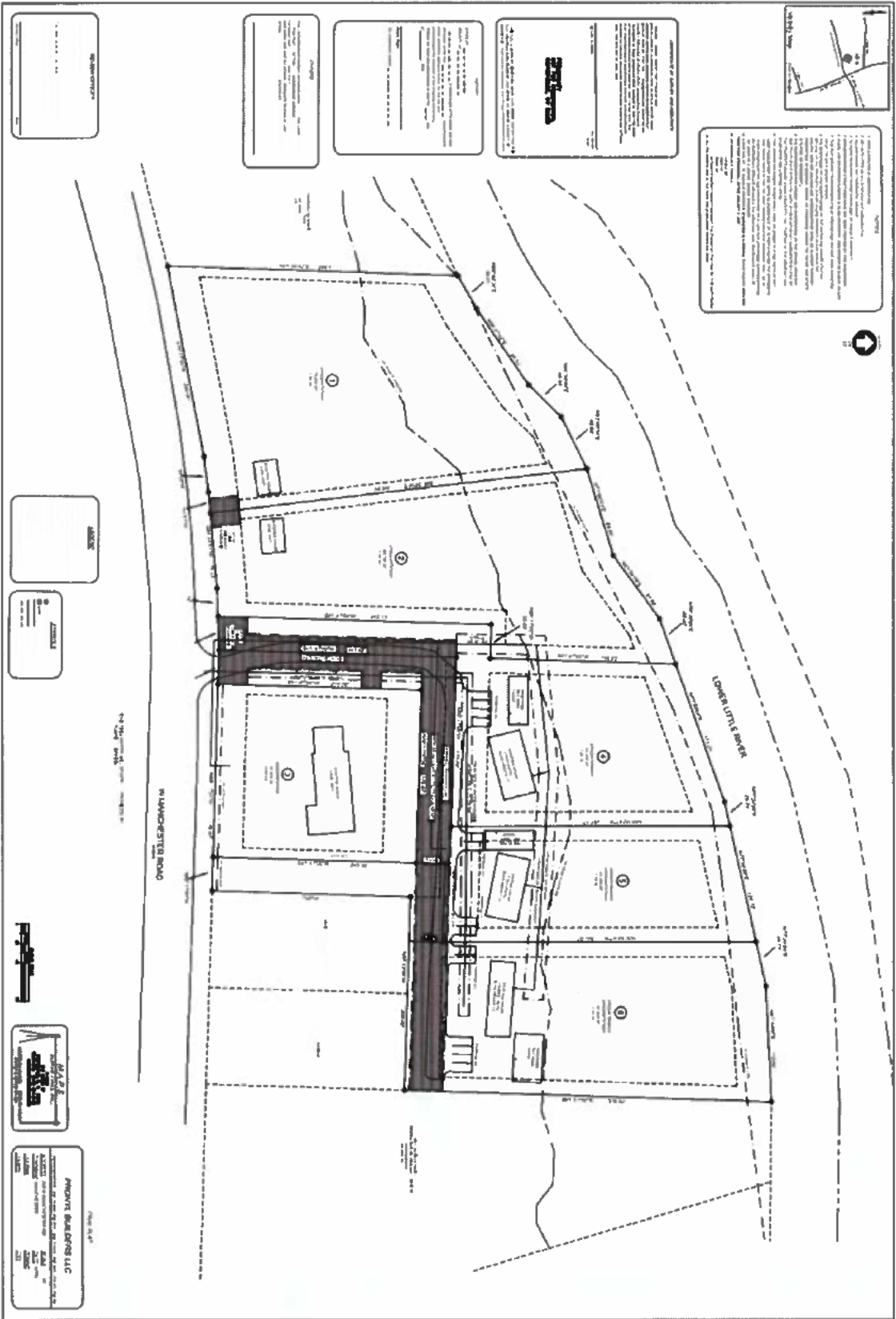
Town Programs Admin Assistant, Town of Spring Lake – Casey Noble

Town Manager, Town of Spring Lake – Dennis English

Town Clerk, Town of Spring Lake – Carly Autry

Current Planning Manager - Planning & Inspections Dept Cumberland County – Telly Shinas

**Exhibit "A"**  
**Final Plat**  
**See Below**



PROJECT NO. 2024-001  
 DATE: 10/26/2024

OWNER: ANCHOR BUILDINGS LLC  
 ADDRESS: 12345 MAIN ST, SUITE 100, DENVER, CO 80202

DESIGNER: ABC ARCHITECTS  
 ADDRESS: 6789 MARKET ST, DENVER, CO 80202

CONTRACT NO. 2024-001  
 SHEET NO. 1 OF 1



NOTICE: THIS PLAN IS THE PROPERTY OF ABC ARCHITECTS AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF ABC ARCHITECTS. ANY VIOLATION OF THIS NOTICE IS SUBJECT TO LEGAL ACTION.

DATE: 10/26/2024

PROJECT NO. 2024-001



**ANCHOR BUILDINGS LLC**  
 12345 MAIN ST, SUITE 100  
 DENVER, CO 80202  
 TEL: (303) 555-1234  
 FAX: (303) 555-5678  
 WWW.ANCHORBUILDINGS.COM





# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

DEV-0035-26 - Phase 3

**Presenter**

Richard Fagan, Planner II, Cumberland County Planning & Inspections Dept.

**Summary/Description**

**Requested Action:**

Consideration of approval of **DEV-0035-26**, a Preliminary Plat submitted by King Hospitality, Inc. for an 8-lot residential zero lot line subdivision located at the southeast corner of Elizabeth Street and Warfield Street. The proposed development encompasses approximately 1.50 acres and is zoned R-6 Residential District.

**Background:**

The proposed subdivision consists of eight residential lots designed under the Town's zero lot line subdivision standards. Each lot is considered a perimeter lot and must comply with the applicable R-6 zoning district setback requirements. The development includes a shared mail kiosk easement on Lots 19 and 20, a 15-foot public water and sewer service easement along Lots 21 and 22, and associated utility infrastructure to serve the subdivision.

The preliminary plat proposes residential lots ranging in size from approximately 6,142 square feet to 10,989 square feet and includes common open space/recreation space of approximately 10,168 square feet. Public water and sewer service will be provided, and future development will be subject to all applicable utility, stormwater, roadway, and permitting requirements.

Cumberland County Planning and Inspections has reviewed the application and determined the Preliminary Plat is consistent with the Town of Spring Lake Code of Ordinances and subdivision requirements

**Staff Recommendation:**

Approve **DEV-0035-26** subject to the conditions outlined in the attached Conditions of Approval Letter, including compliance with all R-6 zoning standards, utility and stormwater requirements, sidewalk installation, final plat approval and recordation, NCDOT and Town access approvals, and submission of homeowners' association and common area documentation prior to final plat approval.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

**DEV-0035-26** Town Transmittal Letter

**DEV-0035-26** Approval Letter

**DEV-0035-26** Preliminary Plan



## Planning & Inspections Department

June 17<sup>th</sup>, 2026

MEMO TO: TOWN OF SPRING LAKE BOARD OF COMMISSIONERS, ADMINISTRATIVE OFFICER (TOWN MANAGER OR DESIGNEE), AND TOWN CLERK

FROM: RICHARD FAGAN CUMBERLAND COUNTY PLANNING AND INSPECTIONS-PLANNER II

SUBJECT: APPLICANT REQUEST FOR PLACEMENT ON JUNE 22, 2026 TOWN OF SPRING LAKE BOARD OF COMMISSIONERS' MEETING

### REQUESTED ACTION: APPROVAL OF DEV-0035-26:

Applicant submitted a preliminary plat for an 8-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and Warfield St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk shared on Lots 19 and 20 via a mail kiosk easement. A 15-ft public water and sewer service easement is proposed along Lots 21 & 22 for future utility service respectively. A utility easement is proposed along the joint driveway easement to allow for the property owner(s) to maintain and upkeep any and all existing or future utility line connections unobstructed.

A technical review team transmittal letter with the preliminary plat was sent out to the review team members on March 27, 2026, for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on April 3, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact and the Spring Lake Fire Chief.

If any re-development were proposed in the future for any lot, a condition within the approval letter will require a pre-application meeting with the applicant, Town of Spring Lake Staff, and Cumberland County Current Planning Staff prior to any formal submission for review.

For the existing utility lines, the responsibility for upkeep and maintenance shall belong to the property owners whose property the utility lines and driveway easement are located within.

The applicant, Drafting & Design Services Inc., is respectfully requesting DEV-0035-26 (Elizabeth St – Phase 3) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting, and, if approved by the Board of Commissioners pursuant to Sec. 36-30.(c) of the Spring Lake Code of Ordinances, have the Board of Commissioners Chair, the Administrative Officer, or his/her designee signing the accompanying approval document and Preliminary Plat.

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this Preliminary Plat is consistent with the Town of Spring Lake Code of Ordinances requirements found within Section 36 for Subdivisions.

The approval document (Exhibit "A") has been prepared for signature by the Board of Commissioners Chair or Administrative Officer or his/her designee upon approval granted by the Town of Spring Lake Board of Commissioners for the Preliminary Plat per the Town of Spring Lake Code of Ordinances Section 36-30.(c).

The document to act as the Preliminary Plat is provided in Exhibit "B", attached.

Exhibits:        Exhibit "A"    –        DEV-0035-26 Approval Letter  
                     Exhibit "B"    –        DEV-0035-26 Preliminary Plat

Cc:

Records File

Town Programs Admin Assistant – Casey Noble

Town Manager, Town of Spring Lake – Dennis English

Town Clerk, Town of Spring Lake – Carly Autry

Current Planning Manager - Planning & Inspections Dept Cumberland County – Telly Shinas

**Exhibit "A"**  
**Conditions of Approval Letter**  
 See Below



<b>Planning and Inspections Department Action:</b>	
Case Number: DEV-0035-26	
Project Name: Elizabeth St Phase 3	
X	Approved Conditionally
	Denied

Approval Expiration Date: June 22, 2028
Approval Authority: Town of Spring Lake

**Type of Request:** Applicant submitted a preliminary plat for an 8-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and Warfield St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk shared on Lots 19 and 20 via a mail kiosk easement. A 15-ft public water and sewer service easement is proposed along Lots 21 & 22 for future utility service respectively.

**Location (REID & Address):** 0501-46-8203 | SE Corner of Elizabeth St and Warfield St.

**Acres:** 1.50 AC

**Zoning:** R-6 | Residential District

**Special District, MIA, or Overlay:** N/A

**Owners/Agent/Applicant:** King Hospitality Inc. / Drafting & Design Services, Inc.

This is to inform you that the Spring Lake Board of Commissioners met on Monday, June 22, 2026, and \_\_\_\_\_ the request of Elizabeth Street Phase 3 an 8-lot Zero Lot Line residential subdivision, comprising a 1.50-acre parcel, zoned R-6 Residential District, and located on the SE Corner of Elizabeth St and Warfield St. This approval is granted by the Governing Board for the Town of Spring Lake based on the contents of the application, submitted preliminary plat attached herein as "Exhibit "A", and the following conditions approved with the above case as presented at the public hearing dated reference above:

**Ordinance & Review Process Related Conditions:**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
2. If any right-of-way dedication is required by NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
3. Prior to building permit application, the developer must provide to the Town of Spring Lake documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.
4. 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 the Town's Inspection Department at the time of application for building/zoning permits. (Spring Lake Subdivision Ord. Section 36-66 "Water and sewer system")
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.
6. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
7. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality

(DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided the Town of Spring Lake Stormwater Administrator (Spring Lake Ord. Article II. Post Construction Stormwater.) (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.)

**Site-Related:**

8. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R-6 Residential Zoning District must be complied with, as applicable, and as appearing with the preliminary plat appearing in Exhibit "A".
9. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes Zoning Ordinance 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.)
10. In any subdivisions located with the town, sidewalks shall be required on one side of the street, location to be determined by the administrative officer and building inspector. Further, such sidewalks shall be installed in accordance with the town's specifications. (Spring Lake Subdivision Ord. Sec. 36-107)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407.
12. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (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.
13. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NC GS136-18(S) & 136-93]"
14. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake as applicable. [Spring Lake Subdivision Ord. and NCGS]
15. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat has been approved by the Town of Spring Lake.
16. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-6 zoning district must be complied with, as applicable.
17. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commence of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised Preliminary Plat.
18. 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, including any required by the Town of Spring Lake.

**Plat-Related:**

19. The developer is required to submit to the Current Planning Section either one set of a hard copy or one set of a pdf email copy the following documents through the County on-line customer service portal:
  - a. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development;
  - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
  - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
  - d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Attorney Town of Spring Lake Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)  
Note: A copy of the recorded deed or deeds conveying all common area to the owners' association as shown on each plat must be provided to the Current Planning prior to submission for approval for recordation of the next succeeding phase/section of this development.

20. All buildable lot areas shall comply with the setbacks established as typical within the R-6 Residential District as each proposed lot is considered a peripheral lot pursuant to Zero Lot Line Subdivision standards.
21. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
23. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
24. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.
25. Pursuant to Section 36-129(6), the following certificate shall appear on the final plat for the Clerk of the Town of Spring Lake's signature:

Approved by the Town of Spring Lake on the _____ day of _____, 20__.	
Signed ____ (SEAL) Clerk*	

**Town of Spring Lake Fire Marshal**

26. No comments or conditions provided at this time.

**Town of Spring Lake Stormwater**

27. No comments or conditions provided at this time.

**Town of Spring Building Inspections**

28. No comments or conditions provided at this time.

**Advisories:**

29. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
30. 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.
31. 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 to 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.
32. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth,

may govern the specific development. The developer is the party responsible for ensuring full compliance with all applicable Federal, State, and local regulations.

33. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) or adopted by the Town of Spring Lake for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.

**Other Relevant Conditions:**

34. This conditional approval is contingent upon continued compliance with the Town of Spring Lake's Zoning and Subdivision Ordinances and the conditions set forth herein.
35. A fee in lieu of Parks and Recreation space may be required per the Town of Spring Lakes pursuant to Section 36-72(7).

**\*\* CERTIFICATION OF PRELIMINARY PLAT APPROVAL \*\***

**CUMBERLAND COUNTY N.C. PLANNING & INSPECTIONS DEPARTMENT  
ON BEHALF OF THE TOWN OF SPRING LAKE**

This preliminary plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2026

Expiration Date: 6/22/2028

\_\_\_\_\_  
Spring Lake Town Manager/Zoning Administrator

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Project Number: DEV-0035-26

Project Name: Elizabeth St – Phase 3

Approval Type: Zero Lot Line Subdivision Preliminary Plat

REID No.(s): 0501-46-8203

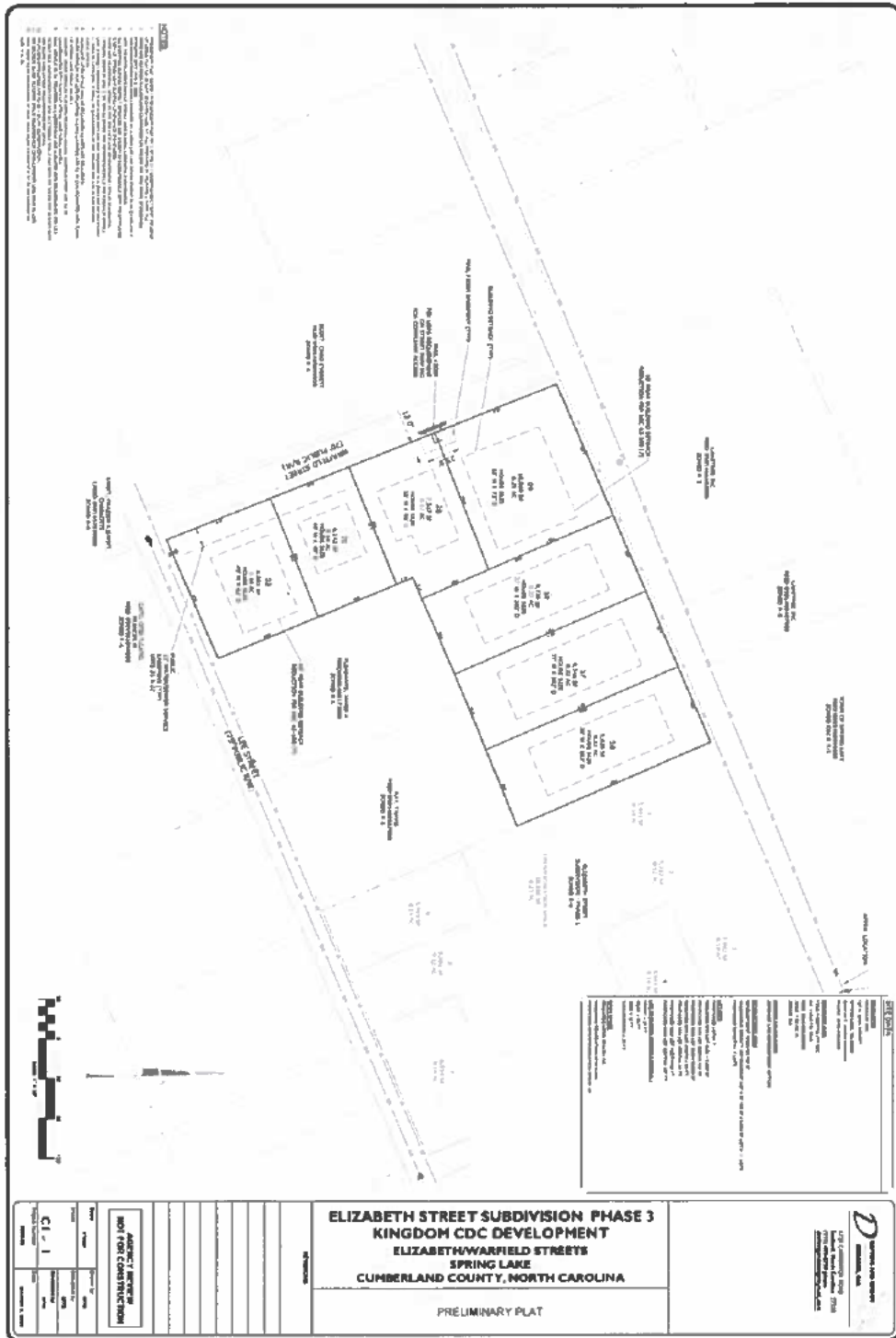
Zoning: R-6

Overlay: N/A

MIA: N/A

**Attention:** The combination of this approved preliminary plan and the Conditions of Approval Letter constitutes formal development approval.

**Exhibit "B"**  
**Preliminary Plat**  
 See Below



**NOTES:**

1. THIS PLAT IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS OF THE CUMBERLAND COUNTY BOARD OF ZONING ADJUSTMENT.
2. THE PLAT IS SUBJECT TO ALL APPLICABLE STATE AND FEDERAL LAWS, REGULATIONS AND ORDINANCES.
3. THE PLAT IS SUBJECT TO ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
4. THE PLAT IS SUBJECT TO ALL APPLICABLE EASEMENTS, RIGHTS-OF-WAY, AND OTHER INTERESTS.
5. THE PLAT IS SUBJECT TO ALL APPLICABLE DEEDS, CONTRACTS, AND OTHER INSTRUMENTS.
6. THE PLAT IS SUBJECT TO ALL APPLICABLE RECORDS AND DOCUMENTS.
7. THE PLAT IS SUBJECT TO ALL APPLICABLE SURVEY DATA AND MEASUREMENTS.
8. THE PLAT IS SUBJECT TO ALL APPLICABLE ENGINEERING AND ARCHITECTURAL STANDARDS.
9. THE PLAT IS SUBJECT TO ALL APPLICABLE PROFESSIONAL FEES AND CHARGES.
10. THE PLAT IS SUBJECT TO ALL APPLICABLE LEGAL AND FINANCIAL RISKS.
11. THE PLAT IS SUBJECT TO ALL APPLICABLE DISPUTES AND LITIGATION.
12. THE PLAT IS SUBJECT TO ALL APPLICABLE FORCE MAJEURE AND OTHER UNUSUAL CIRCUMSTANCES.
13. THE PLAT IS SUBJECT TO ALL APPLICABLE GOVERNMENT INTERVENTION AND REGULATION.
14. THE PLAT IS SUBJECT TO ALL APPLICABLE MARKET FLUCTUATIONS AND ECONOMIC CONDITIONS.
15. THE PLAT IS SUBJECT TO ALL APPLICABLE TECHNOLOGICAL ADVANCES AND INNOVATIONS.
16. THE PLAT IS SUBJECT TO ALL APPLICABLE ENVIRONMENTAL AND CLIMATE CHANGE FACTORS.
17. THE PLAT IS SUBJECT TO ALL APPLICABLE SOCIAL AND CULTURAL TRENDS AND BEHAVIORS.
18. THE PLAT IS SUBJECT TO ALL APPLICABLE POLITICAL AND LEGISLATIVE ACTIONS.
19. THE PLAT IS SUBJECT TO ALL APPLICABLE PUBLIC OPINION AND COMMUNITY ENGAGEMENT.
20. THE PLAT IS SUBJECT TO ALL APPLICABLE UNFORESEEN CIRCUMSTANCES AND RISKS.

APPLICANT'S REPRESENTATIVE	DATE
NOT FOR CONSTRUCTION	
CL-1	
SCALE	
DATE	

**ELIZABETH STREET SUBDIVISION PHASE 3  
 KINGDOM CDC DEVELOPMENT  
 ELIZABETH/WARFIELD STREETS  
 SPRING LAKE  
 CUMBERLAND COUNTY, NORTH CAROLINA**

PRELIMINARY PLAT

**D** **DAVIDSON ENGINEERING & ARCHITECTURE, P.A.**  
 1000 W. MAIN STREET, SUITE 200  
 RALEIGH, NC 27601  
 TEL: 919.972.1111  
 FAX: 919.972.1112  
 WWW.DAVIDSONEA.COM



<b>Planning and Inspections Department Action:</b>	
<b>Case Number: DEV-0035-26</b>	
<b>Project Name: Elizabeth St Phase 3</b>	
<b>X</b>	<b>Approved Conditionally</b>
	<b>Denied</b>

<b>Approval Effective Date: June 22, 2026</b>
<b>Approval Expiration Date: June 22, 2028</b>
<b>Approval Authority: Town of Spring Lake</b>

**Type of Request:** Applicant submitted a preliminary plat for an 8-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and Warfield St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk shared on Lots 19 and 20 via a mail kiosk easement. A 15-ft public water and sewer service easement is proposed along Lots 21 & 22 for future utility service respectively.

**Location (REID & Address):** 0501-46-8203 | SE Corner of Elizabeth St and Warfield St.

**Acreage:** 1.50 AC

**Zoning:** R-6 | Residential District

**Special District, MIA, or Overlay:** N/A

**Owners/Agent/Applicant:** King Hospitality Inc. / Drafting & Design Services, Inc.

This is to inform you that the Spring Lake Board of Commissioners met on Monday, June 22, 2026, and \_\_\_\_\_ the request of Elizabeth Street Phase 3 an 8-lot Zero Lot Line residential subdivision, comprising a 1.50-acre parcel, zoned R-6 Residential District, and located on the SE Corner of Elizabeth St and Warfield St. This approval is granted by the Governing Board for the Town of Spring Lake based on the contents of the application, submitted preliminary plat attached herein as 'Exhibit "A"', and the following conditions approved with the above case as presented at the public hearing dated reference above:

**Ordinance & Review Process Related Conditions:**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
2. If any right-of-way dedication is required by NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
3. Prior to building permit application, the developer must provide to the Town of Spring Lake documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.
4. 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 the Town's Inspection Department at the time of application for building/zoning permits. (Spring Lake Subdivision Ord. Section 36-66 "Water and sewer system")
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.
6. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
7. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality

(DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided the Town of Spring Lake Stormwater Administrator (Spring Lake Ord. Article II. Post Construction Stormwater.) (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.)

**Site-Related:**

8. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R-6 Residential Zoning District must be complied with, as applicable, and as appearing with the preliminary plat appearing in Exhibit "A".
9. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes Zoning Ordinance 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.)
10. In any subdivisions located with the town, sidewalks shall be required on one side of the street, location to be determined by the administrative officer and building inspector. Further, such sidewalks shall be installed in accordance with the town's specifications. (Spring Lake Subdivision Ord. Sec. 36-107)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407.
12. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (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.
13. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NC GS§136-18(5) & §136-93)"
14. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake as applicable. [Spring Lake Subdivision Ord. and NCGS]
15. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat has been approved by the Town of Spring Lake.
16. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-6 zoning district must be complied with, as applicable.
17. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commence of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised Preliminary Plat.
18. 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, including any required by the Town of Spring Lake.

**Plat-Related:**

19. The developer is required to submit to the Current Planning Section either one set of a hard copy or one set of a pdf email copy the following documents through the County on-line customer service portal:
  - a. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development;
  - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
  - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
  - d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Attorney Town of Spring Lake Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)  
 Note: A copy of the recorded deed or deeds conveying all common area to the owners' association as shown on each plat must be provided to the Current Planning prior to submission for approval for recordation of the next succeeding phase/section of this development.

20. All buildable lot areas shall comply with the setbacks established as typical within the R-6 Residential District as each proposed lot is considered a peripheral lot pursuant to Zero Lot Line Subdivision standards.
21. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
23. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
24. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.
25. Pursuant to Section 36-129(6), the following certificate shall appear on the final plat for the Clerk of the Town of Spring Lake's signature:

Approved by the Town of Spring Lake on the _____ day of _____, 20____.	
Signed _____ (SEAL) Clerk*	

**Town of Spring Lake Fire Marshal**

26. No comments or conditions provided at this time.

**Town of Spring Lake Stormwater**

27. No comments or conditions provided at this time.

**Town of Spring Building Inspections**

28. No comments or conditions provided at this time.

**Advisories:**

29. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
30. 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.
31. 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 to 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.
32. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth,

may govern the specific development. The developer is the party responsible for ensuring full compliance with all applicable Federal, State, and local regulations.

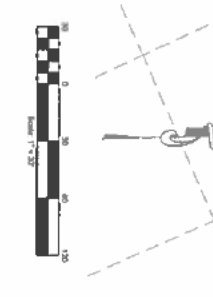
33. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) or adopted by the Town of Spring Lake for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.

**Other Relevant Conditions:**

34. This conditional approval is contingent upon continued compliance with the Town of Spring Lake's Zoning and Subdivision Ordinances and the conditions set forth herein.
35. A fee in lieu of Parks and Recreation space may be required per the Town of Spring Lakes pursuant to Section 36-72(7).

<p style="text-align: center;"><b>** CERTIFICATION OF PRELIMINARY PLAT APPROVAL **</b> CUMBERLAND COUNTY N.C. PLANNING &amp; INSPECTIONS DEPARTMENT ON BEHALF OF THE TOWN OF SPRING LAKE</p> <p>This preliminary plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.</p> <p style="text-align: center;">Effective Date: <u>6/22/2026</u> Expiration Date: <u>6/22/2028</u></p> <p>_____ Spring Lake Town Manager/Zoning Administrator</p> <p>-----</p> <p>Project Number: <u>DEV-0035-26</u> Project Name: <u>Elizabeth St – Phase 3</u> Approval Type: <u>Zero Lot Line Subdivision Preliminary Plat</u> REID No. (s): <u>0501-46-8203</u> Zoning: <u>R-6</u>      Overlay: <u>N/A</u>      MIA: <u>N/A</u></p> <p><b><u>Attention:</u></b> The combination of this approved preliminary plan <u>and</u> the Conditions of Approval Letter constitutes formal development approval.</p>
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- NOTES**
1. THIS PLAN IS A PRELIMINARY PLAT AND IS NOT TO BE USED FOR CONSTRUCTION.
  2. THE PROPERTY LINES AND DIMENSIONS SHOWN ON THIS PLAN ARE BASED ON THE RECORD PLATS REFERRED TO IN THE NOTES.
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**SITE DATA**

**PROJECT:** ELIZABETH STREET SUBDIVISION PHASE 3  
**OWNER:** KINGDOM CDC DEVELOPMENT  
**DESIGNER:** [Firm Name]  
**DATE:** [Date]

**GENERAL NOTES:**

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Project Name	ELIZABETH STREET SUBDIVISION PHASE 3
Client	KINGDOM CDC DEVELOPMENT
Date	APRIL 1, 2024
Scale	1" = 20'
Sheet	1 of 1

**AGENCY REVIEW**  
**NOT FOR CONSTRUCTION**

Reviewed by: \_\_\_\_\_  
 Date: \_\_\_\_\_

**ELIZABETH STREET SUBDIVISION PHASE 3  
 KINGDOM CDC DEVELOPMENT  
 ELIZABETH/WARFIELD STREETS  
 SPRING LAKE  
 CUMBERLAND COUNTY, NORTH CAROLINA**

PRELIMINARY PLAT

**Survey and Mapping**  
 12345 Main Street  
 Raleigh, NC 27601  
 Phone: (919) 555-1234  
 Email: info@surveyandmapping.com

**STATEMENT OF PRELIMINARY PLAT APPROVAL**  
**CUMBERLAND COUNTY HEALTH DEPARTMENT**  
 ON BEHALF OF THE BOARD OF HEALTH

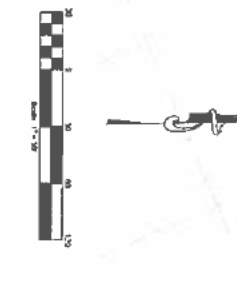
This preliminary plat is conditionally approved by the Board of Health, Cumberland County, North Carolina, on June 22, 2016, and is subject to certain conditions in the official Conditions of Approval letter.

Effective Date: 6/22/2016  
 Expiration Date: 6/22/2018

Spring Lake Town Manager/ zoning administrator  
 Project Name: ELIZABETH ST - PHASE 3  
 Project Type: RESIDENTIAL SINGLE UNIT DEVELOPMENT  
 PUD No: 020148-0008  
 Cor No: 020148-0008  
 M.A. No: 020148-0008

Attention: The completion of this approved preliminary plat and the final plat is subject to approval of the Board of Health.

- NOTES**
1. THE PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF HEALTH AND THE BOARD OF ZONING ADJUSTMENTS.
  2. THE PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF HEALTH AND THE BOARD OF ZONING ADJUSTMENTS.
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**SITE DATA**

Subdivisor: [Name]  
 Applicant: [Name]  
 Project Name: ELIZABETH ST - PHASE 3  
 Project Type: RESIDENTIAL SINGLE UNIT DEVELOPMENT  
 PUD No: 020148-0008  
 Cor No: 020148-0008  
 M.A. No: 020148-0008

**GENERAL NOTES**

1. THE PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF HEALTH AND THE BOARD OF ZONING ADJUSTMENTS.

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<b>ELIZABETH STREET SUBDIVISION PHASE 3</b> <b>KINGDOM CDC DEVELOPMENT</b> ELIZABETH/WARFIELD STREETS SPRING LAKE CUMBERLAND COUNTY, NORTH CAROLINA	
<b>PRELIMINARY PLAT</b>	
REVISIONS	
Date: 7-20-16 Drawn By: [Name] Checked By: [Name]	Date: 7-20-16 Drawn By: [Name] Checked By: [Name]
<b>AGENCY REVIEW NOT FOR CONSTRUCTION</b>	
<b>CI 1</b>	
Project Number: 200148 Date: March 1, 2016	



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

**DEV-0066-26 – Phase 4**

**Presenter**

Richard Fagan, Planner II, Cumberland County Planning & Inspections Dept.

**Summary/Description**

**Requested Action:**

Consideration of approval of **DEV-0066-26**, a Preliminary Plat submitted by Kingdom Community Development Corporation for a 3-lot residential zero lot line subdivision located at the southwest corner of Elizabeth Street and John Street. The proposed development encompasses approximately 0.70 acres and is zoned R-6 Residential District.

**Background:**

The proposed subdivision consists of three residential lots developed under the Town's zero lot line subdivision standards. Each lot is considered a perimeter lot and must comply with the applicable R-6 zoning district setback requirements. The development includes a mail kiosk easement located on Lot 3 and proposes installation of sidewalks along both Elizabeth Street and John Street to improve pedestrian connectivity.

The preliminary plat creates three residential lots ranging in size from approximately 9,436 square feet to 12,393 square feet. Public water and sewer service will be provided to the development, and all utility, stormwater, roadway, and permitting requirements will be addressed during subsequent phases of development. The project also includes an 8-foot utility/sidewalk easement and ADA-compliant access associated with the proposed mail kiosk area.

Cumberland County Planning and Inspections has reviewed the application and determined the Preliminary Plat is consistent with the Town of Spring Lake Code of Ordinances and subdivision requirements.

**Staff Recommendation:**

Approve **DEV-0066-26** subject to the conditions outlined in the attached Conditions of Approval Letter, including compliance with all R-6 zoning standards, utility and stormwater requirements, sidewalk installation, final plat approval and recordation, NCDOT and Town access approvals, and submission of homeowners' association and common area documentation prior to final plat approval.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

**DEV-0066-26** Town Transmittal Letter

**DEV-0066-26** Approval Letter

**DEV-0066-26** Preliminary Plan



June 17<sup>th</sup>, 2026

MEMO TO: TOWN OF SPRING LAKE BOARD OF COMMISSIONERS, ADMINISTRATIVE OFFICER (TOWN MANAGER OR DESIGNEE), AND TOWN CLERK

FROM: RICHARD FAGAN CUMBERLAND COUNTY PLANNING AND INSPECTIONS-PLANNER II

SUBJECT: APPLICANT REQUEST FOR PLACEMENT ON JUNE 22, 2026 TOWN OF SPRING LAKE BOARD OF COMMISSIONERS' MEETING

**REQUESTED ACTION: APPROVAL OF DEV-0066-26:**

Applicant submitted a preliminary plat for a 3-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and John St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk on Lot 3 via a mail kiosk easement and provide sidewalks along Elizabeth St and John St.

A technical review team transmittal letter with the preliminary plat was sent out to the review team members on May 29, 2026, for review and with instructions to provide any comments or items of concern within five workdays of receipt. With the deadline date being the end of business on June 5, 2026, Current Planning Staff did not receive any response or comments from the Town of Spring Lake main point of contact and the Spring Lake Fire Chief.

If any re-development were proposed in the future for any lot, a condition within the approval letter will require a pre-application meeting with the applicant, Town of Spring Lake Staff, and Cumberland County Current Planning Staff prior to any formal submission for review.

For the existing utility lines, the responsibility for upkeep and maintenance shall belong to the property owners whose property the utility lines and driveway easement are located within.

The applicant, Drafting & Design Services Inc., is respectfully requesting DEV-0066-26 (Elizabeth St – Phase 4) be placed onto the June 22, 2026 agenda for the Town of Spring Lake Board of Commissioners meeting, and, if approved by the Board of Commissioners pursuant to Sec. 36-30.(c) of the Spring Lake Code of Ordinances, have the Board of Commissioners Chair, the Administrative Officer, or his/her designee signing the accompanying approval document and Preliminary Plat.

Cumberland County provides a consistency review determination in accordance with the Town of Spring Lake Code of Ordinances: the Cumberland County Planning and Inspections Department does find that this Preliminary Plat is consistent with the Town of Spring Lake Code of Ordinances requirements found within Section 36 for Subdivisions.

The approval document (Exhibit "A") has been prepared for signature by the Board of Commissioners Chair or Administrative Officer or his/her designee upon approval granted by the Town of Spring Lake

Board of Commissioners for the Preliminary Plat per the Town of Spring Lake Code of Ordinances Section 36-30.(c).

The document to act as the Preliminary Plat is provided in Exhibit "B", attached.

Exhibits:        Exhibit "A"     –     DEV-0066-26 Approval Letter  
                     Exhibit "B"     –     DEV-0066-26 Preliminary Plat

Cc:

Records File

Town Programs Admin Assistant – Casey Noble

Town Manager, Town of Spring Lake – Dennis English

Town Clerk, Town of Spring Lake – Carly Autry

Current Planning Manager - Planning & Inspections Dept Cumberland County – Telly Shinas

**Exhibit "A"**  
**Conditions of Approval Letter**  
 See Below



<b>Planning and Inspections Department Action:</b>	
Case Number: DEV-0066-26	
Project Name: Elizabeth St Phase 4	
<b>X</b>	<b>Approved Conditionally</b>
	<b>Denied</b>

<b>Approval Effective Date:</b> June 22, 2026
<b>Approval Expiration Date:</b> June 22, 2028
<b>Approval Authority:</b> Town of Spring Lake

**Type of Request:** Applicant submitted a preliminary plat for a 3-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and John St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk on Lot 3 via a mail kiosk easement and provide sidewalks along Elizabeth St and John St.  
**Location (REID & Address):** 0501-46-8203 | SW Elizabeth St and John St.  
**Acres:** 0.70 AC  
**Zoning:** R-6 | Residential District  
**Special District, MIA, or Overlay:** N/A  
**Owners/Agent/Applicant:** Kingdom Community Development Corporation / Drafting & Design Services, Inc.

This is to inform you that the Spring Lake Board of Commissioners met on Monday, June 22, 2026, and \_\_\_\_\_ the request of Elizabeth Street Phase 4 a 3-lot Zero Lot Line residential subdivision on two (2) parcels comprising a 0.70-acre, zoned R-6 Residential District, and located on the SW Corner of Elizabeth St and John St. This approval is granted by the Governing Board for the Town of Spring Lake based on the contents of the application, submitted preliminary plat attached herein as "Exhibit "A", and the following conditions approved with the above case as presented at the public hearing dated reference above:

**Ordinance & Review Process Related Conditions:**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
2. If any right-of-way dedication is required by NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
3. Prior to building permit application, the developer must provide to the Town of Spring Lake documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.
4. 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 the Town's Inspection Department at the time of application for building/zoning permits. (Spring Lake Subdivision Ord. Section 36-66 "Water and sewer system")
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.
6. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
7. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must

be provided the Town of Spring Lake Stormwater Administrator (Spring Lake Ord. Article II, Post Construction Stormwater.) (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.)

**Site-Related:**

8. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R-6 Residential Zoning District must be complied with, as applicable, and as appearing with the preliminary plat appearing in Exhibit "A".
9. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes Zoning Ordinance 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.)
10. In any subdivisions located with the town, sidewalks shall be required on one side of the street, location to be determined by the administrative officer and building inspector. Further, such sidewalks shall be installed in accordance with the town's specifications. (Spring Lake Subdivision Ord. Sec. 36-107)
11. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407.
12. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (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.
13. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NC GS136-18(5) & 136-93]"
14. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake as applicable. (Spring Lake Subdivision Ord. and NCGS)
15. Application for building permits for any new structures shall require the submittal of a plot plan to the Spring Lake Inspections Department for review and approval once the Final Plat has been approved by the Town of Spring Lake.
16. All uses dimensions, setbacks and other related provision of the Town of Spring Lake Code of Ordinances for the R-6 zoning district must be complied with, as applicable.
17. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commence of the change. The applicant shall provide a narrative explaining any/all proposed changes from this approval, and cloud changes on the resubmittal revised Preliminary Plat.
18. 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, including any required by the Town of Spring Lake.

**Plat-Related:**

19. The developer is required to submit to the Current Planning Section either one set of a hard copy or one set of a pdf email copy the following documents through the County on-line customer service portal:
  - a. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development
  - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association
  - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
  - d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Attorney Town of Spring Lake Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)

Note: A copy of the recorded deed or deeds conveying all common area to the owners' association as shown on each plat must be provided to the Current Planning prior to submission for approval for recordation of the next succeeding phase/section of this development.

20. All buildable lot areas shall comply with the setbacks established as typical within the R-6 Residential District as each proposed lot is considered a peripheral lot pursuant to Zero Lot Line Subdivision standards.
21. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
23. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
24. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.
25. Pursuant to Section 36-129(6), the following certificate shall appear on the final plat for the Clerk of the Town of Spring Lake's signature:

Approved by the Town of Spring Lake on the _____ day of _____, 20__.	
Signed ____ (SEAL) Clerk*	

**Town of Spring Lake Fire Marshal**

26. No comments or conditions provided at this time.

**Town of Spring Lake Stormwater**

27. No comments or conditions provided at this time.

**Town of Spring Building Inspections**

28. No comments or conditions provided at this time.

**Advisories:**

29. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
30. 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.
31. 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 to 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.
32. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the party responsible for ensuring full compliance with all applicable Federal, State, and local regulations.

33. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) or adopted by the Town of Spring Lake for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.

**Other Relevant Conditions:**

34. This conditional approval is contingent upon continued compliance with the Town of Spring Lake's Zoning and Subdivision Ordinances and the conditions set forth herein.

35. A fee in lieu of Parks and Recreation space may be required per the Town of Spring Lakes pursuant to Section 36-72(7).

**\*\* CERTIFICATION OF PRELIMINARY PLAT APPROVAL \*\***

CUMBERLAND COUNTY N.C. PLANNING & INSPECTIONS DEPARTMENT

ON BEHALF OF THE TOWN OF SPRING LAKE

This preliminary plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2026

Expiration Date: 6/22/2028

\_\_\_\_\_  
Spring Lake Town Manager/Zoning Administrator

-----  
Project Number: DEV-0066-26

Project Name: Elizabeth St – Phase 4

Approval Type: Zero Lot Line Subdivision Preliminary Plat

REID No.(s): 0501-56-5660 & 0501-56-4576

Zoning: R-6            Overlay: N/A            MIA: N/A

**Attention:** The combination of this approved preliminary plan and the Conditions of Approval Letter constitutes formal development approval.





<b>Planning and Inspections Department Action:</b>	
<b>Case Number: DEV-0066-26</b>	
<b>Project Name: Elizabeth St Phase 4</b>	
<b>X</b>	<b>Approved Conditionally</b>
	<b>Denied</b>

<b>Approval Effective Date: June 22, 2026</b>
<b>Approval Expiration Date: June 22, 2028</b>
<b>Approval Authority: Town of Spring Lake</b>

**Type of Request:** Applicant submitted a preliminary plat for a 3-lot residential zero lot line subdivision, located at the SE corner of Elizabeth St and John St. Each lot proposed within this zero-lot line subdivision considered a periphery lot and must adhere to R-6 Residential District as setbacks as typical. The proposed development will be served by a mail kiosk on Lot 3 via a mail kiosk easement and provide sidewalks along Elizabeth St and John St.

**Location (REID & Address):** 0501-46-8203 | SW Elizabeth St and John St.

**Acreage:** 0.70 AC

**Zoning:** R-6 | Residential District

**Special District, MIA, or Overlay:** N/A

**Owners/Agent/Applicant:** Kingdom Community Development Corporation / Drafting & Design Services, Inc.

This is to inform you that the Spring Lake Board of Commissioners met on Monday, June 22, 2026, and \_\_\_\_\_ the request of Elizabeth Street Phase 4 a 3-lot Zero Lot Line residential subdivision on two (2) parcels comprising a 0.70-acre, zoned R-6 Residential District, and located on the SW Corner of Elizabeth St and John St. This approval is granted by the Governing Board for the Town of Spring Lake based on the contents of the application, submitted preliminary plat attached herein as "Exhibit "A", and the following conditions approved with the above case as presented at the public hearing dated reference above:

**Ordinance & Review Process Related Conditions:**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Code of Ordinances and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street.
2. If any right-of-way dedication is required by NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
3. Prior to building permit application, the developer must provide to the Town of Spring Lake documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.
4. 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 the Town's Inspection Department at the time of application for building/zoning permits. (Spring Lake Subdivision Ord. Section 36-66 "Water and sewer system")
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6. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
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be provided the Town of Spring Lake Stormwater Administrator (Spring Lake Ord. Article II. Post Construction Stormwater.) (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.)

**Site-Related:**

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18. 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, including any required by the Town of Spring Lake.

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  - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
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  - d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Attorney Town of Spring Lake Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)

Note: A copy of the recorded deed or deeds conveying all common area to the owners' association as shown on each plat must be provided to the Current Planning prior to submission for approval for recordation of the next succeeding phase/section of this development.

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25. Pursuant to Section 36-129(6), the following certificate shall appear on the final plat for the Clerk of the Town of Spring Lake's signature:

Approved by the Town of Spring Lake on the _____ day of _____, 20____.	
Signed _____ (SEAL) Clerk*	

**Town of Spring Lake Fire Marshal**

26. No comments or conditions provided at this time.

**Town of Spring Lake Stormwater**

27. No comments or conditions provided at this time.

**Town of Spring Building Inspections**

28. No comments or conditions provided at this time.

**Advisories:**

29. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
30. 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.
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32. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the party responsible for ensuring full compliance with all applicable Federal, State, and local regulations.

33. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) or adopted by the Town of Spring Lake for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.

**Other Relevant Conditions:**

34. This conditional approval is contingent upon continued compliance with the Town of Spring Lake's Zoning and Subdivision Ordinances and the conditions set forth herein.
35. A fee in lieu of Parks and Recreation space may be required per the Town of Spring Lakes pursuant to Section 36-72(7).

**\*\* CERTIFICATION OF PRELIMINARY PLAT APPROVAL \*\***  
**CUMBERLAND COUNTY N.C. PLANNING & INSPECTIONS DEPARTMENT**  
**ON BEHALF OF THE TOWN OF SPRING LAKE**

This preliminary plat is conditionally approved by the Town of Spring Lake Board of Commissioners on June 22, 2026, and is subject to conditions set forth in the official Conditions of Approval Letter.

Effective Date: 6/22/2026  
Expiration Date: 6/22/2028

Spring Lake Town Manager/Zoning Administrator  
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Project Number: DEV-0066-26  
Project Name: Elizabeth St – Phase 4  
Approval Type: Zero Lot Line Subdivision Preliminary Plat  
REID No.(s): 0501-56-5660 & 0501-56-4576  
Zoning: R-6      Overlay: N/A      MIA: N/A

**Attention:** The combination of this approved preliminary plan and the Conditions of Approval Letter constitutes formal development approval.



**NOTES:**

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
3. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
4. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
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12. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.

**--- CERTIFICATION OF PRELIMINARY PLAN APPROVAL ---**  
**COMMISSIONER OF THE TOWN OF SPRING LAKE**  
 ON BEHALF OF THE TOWN OF SPRING LAKE  
 This preliminary plan is conditionally approved by the Town of Spring Lake based on the conditions of approval on page 22, 2016, and is subject to conditions set forth in the official conditions of approval letter.  
 Effective Date: 6/22/2016  
 Expiration Date: 6/22/2018

Spring Lake Town Manager/Planning Administrator  
 Project Number: 16-11002-20  
 Project Name: Elizabeth St. Phase 4  
 Approval Type: Zero/Low Impact Preliminary Plan  
 Planning Area: 16-11002-20  
 Date: 6/22/16

ATTENTION: The completion of this approved preliminary plan and the conditions of approval letter constitutes final development approval.

**SITE DATA**

<b>PROPOSER</b>	<b>ELIZABETH STREET SUBDIVISION</b>
<b>DESIGNER</b>	<b>DAVID L. ANDERSON, INC.</b>
<b>PROJECT ADDRESS</b>	<b>ELIZABETH STREET, SPRING LAKE, NC 27982</b>
<b>PROJECT PHONE NUMBER</b>	<b>813-225-1111</b>
<b>PROJECT FAX NUMBER</b>	<b>813-225-1111</b>
<b>PROJECT E-MAIL ADDRESS</b>	<b>DAVID@DLANDERSON.COM</b>
<b>DATE</b>	<b>6/22/16</b>
<b>PROJECT NUMBER</b>	<b>16-11002-20</b>
<b>PROJECT NAME</b>	<b>ELIZABETH STREET SUBDIVISION</b>
<b>PROJECT TYPE</b>	<b>RESIDENTIAL</b>
<b>PROJECT ZONING</b>	<b>R-6</b>
<b>PROJECT AREA</b>	<b>0.21 AC</b>
<b>PROJECT PERMITS</b>	<b>CONCRETE SIDEWALK, GRASS STRIP, UTILITY/SIDEWALK EASEMENT, MAIL KIOSK EASEMENT, BUILDING SETBACK</b>
<b>PROJECT COMMENTS</b>	<b>SEE NOTES</b>

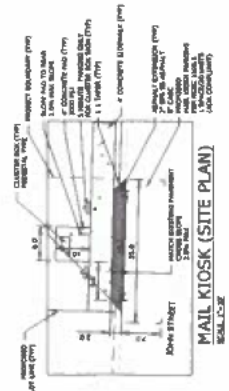
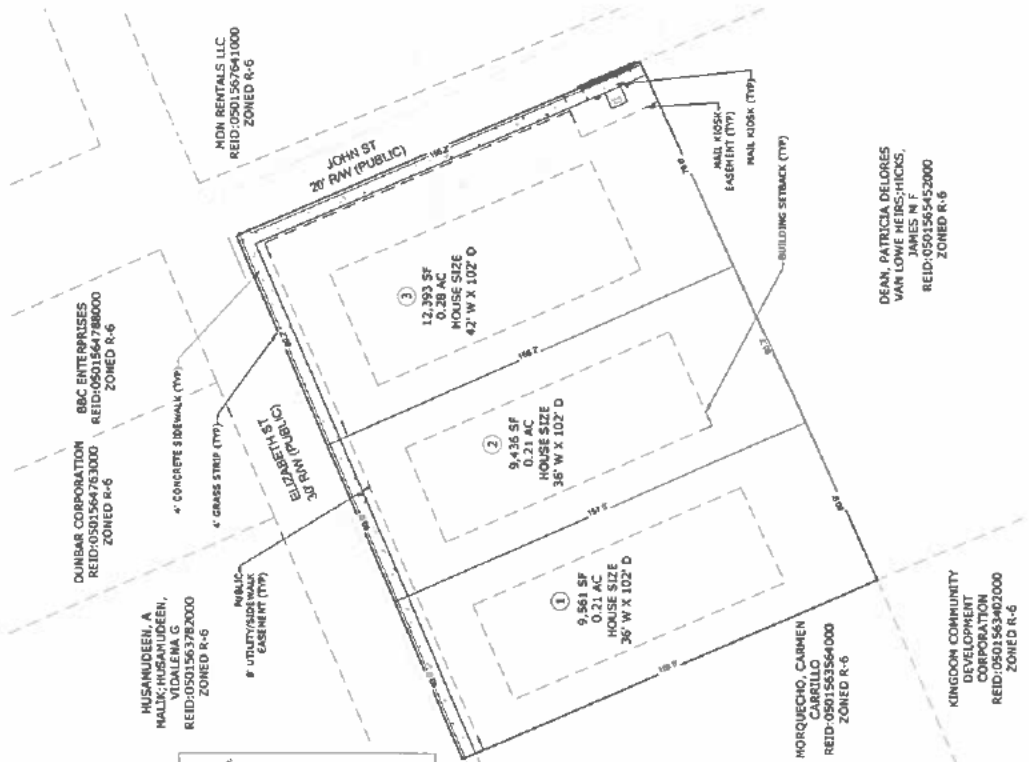
**ELIZABETH STREET SUBDIVISION  
 PHASE 4  
 SPRING LAKE, NORTH CAROLINA  
 ELIZABETH STREET, JOHN STREET  
 PRELIMINARY PLAN - ZERO LOT LINE**

**REVISIONS**

Sheet	1-2-16
Drawn By	DLA
Checked By	DLA
Reviewed By	DLA
Date	MAY 2016

**AGENCY REVIEW  
 NOT FOR CONSTRUCTION**

**CI v 1**  
 Project Number: 0055-1016-66  
 Date: MAY 2016





# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Budget Amendment (BA-25) FY2026

**Presenter**

Finance Director James Overton

**Summary/Description**

- To allocate expenses in various departments.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Budget Amendment (BA-25) FY2026

**Town of Spring Lake  
Budget Amendment  
Fiscal Year Ending**

**BA -25 FY 2026**

**30-Jun-26**

**BE IT ORDAINED** by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

<b>Account Number</b>	<b>Department</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Amended Budget</b>
		\$ -	\$ -	\$ -
	<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
10-00-4110-120-01	Salaries	38,541	175	38,716
10-00-4110-220-00	Food and provisions	600	300	900
10-00-4110-240-09	Military Banner Program	1,000	1,000	2,000
10-00-4110-440-00	Service and maintenance	5,000	(475)	4,525
10-00-4110-450-00	Insurance and bonding	23,400	(400)	23,000
10-00-4110-690-03	Election	3,500	(600)	2,900
10-00-4120-120-12	Vacation payout	14,301	250	14,551
10-00-4120-220-00	Food and provisions	1,500	300	1,800
10-00-4120-320-05	Postage	1,100	(550)	550
10-00-4130-120-02	Overtime	4,000	1,000	5,000
10-00-4130-120-05	Career Development	4,000	(1,000)	3,000
10-10-4310-120-12	Vacation payout	3,520	5,000	8,520
10-10-4310-220-00	Food and provisions	-	100	100
10-10-4310-500-00	Capital outlay	469,182	(5,100)	464,082
10-10-4340-180-03	Group insurance	214,710	(100)	214,610
10-10-4340-240-03	Repair & maintenance Equipment	1,000	100	1,100
10-40-4910-120-02	Overtime	-	100	100
10-40-4910-120-12	Vacation payout	150	(150)	-
10-40-4910-170-00	Expense allowance	350	50	400
10-60-9100-760-31	Principal police	62,710	6,270	68,980
10-60-9100-770-31	Interest police	22,175	(6,270)	15,905
10-80-6120-190-09	Professional services	17,201	(201)	17,000
10-80-6120-240-00	Repair & maintenance Equipment	-	201	201
14-00-6315-240-00	Construction supplies	40,800	30,000	70,800
14-00-6315-240-09	Repair & maintenance	64,200	(21,063)	43,137
14-00-6315-990-01	Contingency	8,937	(8,937)	-
26-00-4120-440-00	Digital files	47,216	(4,000)	43,216
26-00-4120-820-00	Capital outlay computers	90,884	3,500	94,384
26-00-4120-830-00	Capital outlay software	120,000	500	120,500
60-91-7110-180-03	Group insurance	41,000	(500)	40,500
60-91-7110-240-03	Repair & maintenance Equipment	-	500	500
60-91-7120-270-01	Fayetteville PWC	1,624,095	(20,000)	1,604,095
60-91-7120-270-03	Harnett Regional Water	385,200	20,000	405,200
60-91-7140-240-01	Repair & maintenance Building	2,000	500	2,500
60-91-7140-240-03	Repair & maintenance Equipment	75,500	(1,500)	74,000
60-91-7140-480-00	Dues and subscriptions	9,785	1,000	10,785
62-92-7510-120-01	Salaries	83,400	(5,750)	77,650
62-92-7510-120-12	Vacation payout	150	4,550	4,700
62-92-7510-250-00	Repairs & maintenance vehicles	3,000	1,000	4,000

**Town of Spring Lake  
Budget Amendment  
Fiscal Year Ending**

**BA -25 FY 2026  
30-Jun-26**

**BE IT ORDAINED** by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

<b>Account Number</b>	<b>Department</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Amended Budget</b>
62-92-7510-480-00	Dues and subscriptions	4,530	200	4,730
62-92-7510-190-04	Professional services engineers	-	10,000	10,000
62-92-7510-180-03	Group insurance	18,500	(10,000)	8,500
	<b>Total Expenditures</b>	<b>\$ 3,507,137</b>	<b>\$ -</b>	<b>\$ 3,507,137</b>
	<b>Revenues Over (under) Expenditures</b>		<b>\$ -</b>	

Justification:

To reallocate expenses in various departments

Section 3:

Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget officer and Finance director for their Direction.

Requested By

James C Overton Date 22-Jun-26

Reviewed By

Finance Director  
James C Overton Date 22-Jun-26

Approved By:

Finance Director  
Dennis English Date 22-Jun-26  
Interim Town Manager

**ADOPTED** this

22nd

day of June

2026

by the Spring Lake  
Board of Commissioners

Town of Spring Lake Mayor

Town of Spring Lake Clerk



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Budget Amendment (BA-26) FY2026

**Presenter**

Finance Director James Overton

**Summary/Description**

- To appropriate additional revenues from building permits for expenditures in Human Resource Department and legal fees for foreclosure on SLPA land and vehicle repairs in Street Dept.
- To reallocate expenses in various departments.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Budget Amendment (BA-26) FY2026

Town of Spring Lake  
 Budget Amendment  
 Fiscal Year Ending

BA -26 FY 2026  
 30-Jun-26

BE IT ORDAINED by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

Account Number	Department	Current Budget	Amendment	Amended Budget
10-10-3435-410-01	Building permits	\$ 80,000	\$ 36,900	\$ 116,900
	Total Revenues	\$ 80,000	\$ 36,900	\$ 116,900
10-00-4150-370-00	Advertising	2,000	500	2,500
10-00-4150-440-07	Legal fees	10,000	20,000	30,000
10-00-4160-120-12	Vacation payout	200	3,200	3,400
10-00-4160-190-00	Professional services	3,030	5,000	8,030
10-00-4160-220-00	Food and provisions	-	200	200
10-00-4180-320-07	Internet	19,000	2,000	21,000
10-10-4340-120-02	Overtime	50,000	5,000	55,000
10-10-4340-120-05	Career development	20,000	(5,000)	15,000
10-10-4340-450-00	Insurance & bonding	31,000	1,000	32,000
10-10-4340-820-00	Small equipment	34,300	2,000	36,300
10-20-4510-250-00	Repair & maintenance Vehicles	16,000	3,000	19,000
60-91-7110-120-01	Salaries	180,000	7,000	187,000
60-91-7110-120-05	Career development	2,000	(2,000)	-
60-91-7110-120-06	Salaries parttime	17,200	(5,000)	12,200
60-91-7110-180-02	State Retirement	27,000	2,000	29,000
60-91-7130-120-01	Salaries	114,500	(30,000)	84,500
60-91-7130-180-01	FICA	11,600	(3,000)	8,600
60-91-7130-180-02	State Retirement	20,000	(7,000)	13,000
60-91-7130-180-03	Group Insurance	26,500	(11,000)	15,500
60-91-7130-190-00	Professional services	-	40,000	40,000
60-91-7130-190-04	Professional services	100,000	20,000	120,000
60-91-7130-250-00	Repair & maintenance Vehicles	6,000	1,000	7,000
60-91-7140-120-01	Salaries	148,500	10,000	158,500
60-91-7140-120-02	Overtime	5,000	(4,000)	1,000
60-91-7140-120-06	Career development	2,000	(2,000)	-
60-91-7140-24-03	Repair & maintenance Equipment	74,000	(16,000)	58,000
	Total Expenditures	\$ 919,830	\$ 36,900	\$ 956,730
	Revenues Over (under) Expenditures	\$ -		

Justification:

To appropriate additional revenues from building permits for expenditures in Human Resource Department and legal fees for foreclosure on SLPA land and vehicle repairs in street dept  
 To reallocate expenses in various departments

Section 3:

Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget officer and Finance director for their Direction.

**Town of Spring Lake  
Budget Amendment  
Fiscal Year Ending**

**BA -26 FY 2026  
30-Jun-26**

**BE IT ORDAINED** by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

<b>Account Number</b>	<b>Department</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Amended Budget</b>
Requested By	James C Overton	Date	22-Jun-26	
Reviewed By	Finance Director James C Overton	Date	22-Jun-26	
Approved By:	Finance Director Dennis English Interim Town Manager	Date	22-Jun-26	
<b>ADOPTED</b> this	22nd	day of June		2026
_____ Town of Spring Lake Mayor			by the Spring Lake Board of Commissioners	
			_____ Town of Spring Lake Clerk	



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Budget Amendment (BA-27) FY2026

**Presenter**

Finance Director James Overton

**Summary/Description**

- To budget transfer from Sanitation Fund to Capital Reserve Fund and interest income.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Budget Amendment (BA-27) FY2026

**Town of Spring Lake  
Budget Amendment  
Fiscal Year Ending**

**BA -27 FY 2026  
30-Jun-26**

**BE IT ORDAINED** by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

<u>Account Number</u>	<u>Department</u>	<u>Current Budget</u>	<u>Amendment</u>	<u>Amended Budget</u>
20-80-3981-980-66	Transfer from Sanitation Fund	\$ -	\$ 143,914	\$ 143,914
20-80-3831-491-00	Investment Income	-	2,900	2,900
	<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ 146,814</b>	<b>\$ 146,814</b>
20-80-9900-990-01	Contingency	-	146,814	146,814
	<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ 146,814</b>	<b>\$ 146,814</b>
	<b>Revenues Over (under) Expenditures</b>		<b>\$ -</b>	

Justification:

To budget transfer from Sanitation Fund to Capital Reserve Fund and interest income.

Section 3:

Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget officer and Finance director for their Direction.

Requested By

James C Overton Date 22-Jun-26

Reviewed By

Finance Director  
James C Overton Date 22-Jun-26

Approved By:

Finance Director  
Dennis English Date 22-Jun-26  
Interim Town Manager

**ADOPTED** this

22nd day of June 2026

by the Spring Lake  
Board of Commissioners

\_\_\_\_\_  
Town of Spring Lake Mayor

\_\_\_\_\_  
Town of Spring Lake Clerk



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Budget Amendment (BA-28) FY2026

**Presenter**

Finance Director James Overton

**Summary/Description**

- To move debt service payment on Manchester Fire Station from Water & Sewer Fund back to General Fund.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Budget Amendment (BA-28) FY2026

**Town of Spring Lake  
Budget Amendment  
Fiscal Year Ending**

**BA -28 FY 2026  
30-Jun-26**

**BE IT ORDAINED** by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2026

Section 1: To amend the revenues and expenditures as follows:

<u>Account Number</u>	<u>Department</u>	<u>Current Budget</u>	<u>Amendment</u>	<u>Amended Budget</u>
10-00-3986-430-01	Transfer from Water & Sewer Fund	\$ 331,000	\$ 56,556	\$ 387,556
	Total Revenues	<u>\$ 331,000</u>	<u>\$ 56,556</u>	<u>\$ 387,556</u>
10-60-9100-760-35	Fire Station Principal	-	55,556	55,556
10-60-9100-770-35	Fire Station Interest		1,000	1,000
60-60-9100-710-00	Bond Principal	55,556	(55,556)	-
60-60-9100-720-00	Bond Interest	1,000	(1,000)	-
60-91-9810-980-01	Transfer to General Fund	331,000	56,556	387,556
	Total Expenditures	<u>\$ 387,556</u>	<u>\$ 56,556</u>	<u>\$ 444,112</u>
	Revenues Over (under) Expenditures		<u>\$ -</u>	

Justification:

To move debt service payment on Manchester Fire Station from Water & Sewer Fund back to General Fund

Section 3:

Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget officer and Finance director for their Direction.

Requested By

James C Overton Date 22-Jun-26

Reviewed By

Finance Director  
James C Overton Date 22-Jun-26

Approved By:

Finance Director  
Dennis English Date 22-Jun-26  
Interim Town Manager

**ADOPTED** this

22nd

day of June

2026

by the Spring Lake  
Board of Commissioners

Town of Spring Lake Mayor

Town of Spring Lake Clerk



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Adoption of TOSL Budget Ordinance FY 2026-2027

**Presenter**

Interim Town Manager Dennis English Jr. & Mayor Kia Anthony

**Summary/Description**

To adopt the TOSL proposed Budget Ordinance for FY26-27. Public Hearing was held on Monday, June 8, 2026, at 6:00 pm.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** Yes  No

**Additional Documents to be Included in Agenda Packet**

TOSL Budget Ordinance FY26-27

# Town of Spring Lake

## BOARD OF COMMISSIONERS

Fredricka Sutherland, Mayor Pro Tem

Tony Burgess, Commissioner

Soña L. Cooper, Commissioner

Jackie Jackson, Commissioner

Adrian Thompson, Commissioner



CHARTERED IN 1951

## OFFICE OF THE MAYOR

Kia Anthony, Mayor

### ADMINISTRATION

Dennis English Jr., Interim Town Manager

Carly Autry, Town Clerk

Michael R. Porter, Town Attorney

**PROPOSED BUDGET ORDINANCE  
FOR THE FISCAL YEAR ENDING JUNE 30, 2027  
PRESENTED FOR ADOPTION ON JUNE 22, 2026**

**BE IT ORDAINED BY THE** by the Board of Commissioners of the Town of Spring Lake, North Carolina pursuant to General Statute 159-181(c):

**Section 1.** The following amounts are hereby appropriated in the town of Spring Lake General Fund for the operation of the town and its activities for the fiscal year beginning July 1, 2026 and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>GENERAL FUND EXPENDITURES</b>	
<b>GENERAL GOVERNMENT</b>	
GOVERNING BODY	\$ 138,505
ADMINISTRATION	336,225
FINANCE	699,420
TAX COLLECTIONS	70,000
LEGAL	57,000
HUMAN RESOURCES	117,422
INFORMATION TECHNOLOGY / COMMUNICATIONS	191,380
PUBLIC BUILDINGS	497,092
<b>PUBLIC SAFETY</b>	
POLICE	3,471,616
FIRE DEPARTMENT	2,417,250
INSPECTIONS	287,830
<b>TRANSPORTATION</b>	
STREET DEPT	563,750
POWELL BILL	490,000
<b>ECONOMIC DEVELOPMENT</b>	
PLANNING	108,300
ECONOMIC DEVELOPMENT	300,000
<b>CULTURAL AND RECREATION</b>	
PARKS AND RECREATION	79,000
<b>DEBT SERVICE</b>	
PRINCIPAL	297,918
INTEREST	105,140
<b>INTERFUND TRANSFERS</b>	79,120
<b>Total General Fund Expenditures</b>	<b>\$ 10,306,968</b>

**Section 2.** The following revenues are estimated to be available in the Town of Spring Lake General Fund for the operation of the town and its activities for the fiscal year beginning July 1, 2026 and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>GENERAL FUND REVENUES</b>	
AD-VALOREM TAXES	\$ 5,467,141
OTHER TAXES & LICENSES	38,100
UNRESTRICTED INTERGOVERNMENTAL REVENUES	
SALES TAX	2,032,000
BEER & WINE TAX	46,000
FRANCHISE TAX	506,000
RESTRICTED INTERGOVERNMENTAL REVENUES	
POWELL BILL REIMBURSEMENT	94,000
SOLID WASTE REIMBURSEMENT	-
FAY-CUMB ARTS COUNCIL GRANT	4,000
CONTROLLED SUBSTANCE TAX	1,000
MANCHESTER FIRE TAX	708,000
POWELL BILL	351,000
PERMITS, FEES, SALES AND SERVICES	
POLICE DEPARTMENT FEES	1,000
FIRE DEPARTMENT FEES	17,150
INSPECTION FEES	115,950
STREET DEPARTMENT FEES	8,105
PLANNING DEPARTMENT FEES	5,400
INVESTMENT EARNINGS	
INTEREST EARNED	130,000
INTEREST - POWELL BILL	45,000
MISCELLANEOUS REVENUES	13,122
OTHER FINANCING SOURCES	
INTERFUND TRANSFERS	460,000
FUND BALANCE APPROPRIATION	
FUND BALANCE APPROPRIATED	264,000
<b>Total General Fund Revenues</b>	<b><u>\$ 10,306,968</u></b>

**Section 3.** The following amounts are hereby appropriated in the Spring Lake Water and Sewer Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>WATER AND SEWER EXPENDITURES</b>	
REVENUE COLLECTION DIVISION	\$ 517,511
REVENUE BILLING DIVISION	547,593
PURCHASE OF WATER	2,016,000
WATER & SEWER OPERATIONS	1,638,472
WASTE WATER TREATMENT PLANT	600,790
DEBT SERVICE	
PRINCIPAL	212,655
INTEREST	48,754
INTERFUND TRANSFERS	331,000
<b>Total Water and Sewer Fund Expenditures</b>	<b><u>\$ 5,912,775</u></b>

**Section 4.** The following revenues are estimated to be available in the Spring Lake Water and Sewer Fund for the operation of the Spring Lake and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>WATER AND SEWER REVENUES</b>	
OPERATING REVENUES - WATER	\$ 3,034,900
OPERATING REVENUES - SEWER	2,617,600
NON-OPERATING REVENUES	
INVESTMENT EARNINGS	250,000
<b>Total Water and Sewer Fund Revenues</b>	<b><u>\$ 5,912,775</u></b>

**Section 5.** The following amounts are hereby appropriated in the Spring Lake Storm Water Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>STORM WATER FUND EXPENDITURES</b>	
STORM WATER	\$ 482,170
INTERFUND TRANSFERS	45,000
<b>Total Storm Water Fund Expenditures</b>	<b><u>\$ 527,170</u></b>

**Section 6.** The following revenues are estimated to be available in the Spring Lake Storm Water Fund for the operation of the Spring Lake and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>STORM WATER FUND REVENUES</b>	
OPERATING REVENUES - STORM WATER FEES	\$ 480,000
NON-OPERATING REVENUES	
INVESTMENT EARNINGS	47,170
<b>Total Storm Water Fund Revenues</b>	<b><u>\$ 527,170</u></b>

**Section 7.** The following amounts are hereby appropriated in the Spring Lake Sanitation Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>SANITATION FUND EXPENDITURES</b>	
SANITATION	\$ 268,468
CONTRACTED SERVICES TRASH COLLECTION	438,000
INTERFUND TRANSFERS	224,000
<b>Total Sanitation Fund Expenditures</b>	<b><u>\$ 930,468</u></b>

**Section 8.** The following revenues are estimated to be available in the Spring Lake Sanitation Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>SANITATION FUND REVENUES</b>	
OPERATING REVENUES -SOLID WASTE FEES	\$ 897,428
NON-OPERATING REVENUES	
INVESTMENT EARNINGS	33,040
<b>Total Sanitation Fund Revenues</b>	<b><u>\$ 930,468</u></b>

**Section 9.** The following amounts are hereby appropriated in the Spring Lake Other Post Employment Benefits (OPEB) Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>POSTRETIREMENT INSURANCE FUND (OPEB) EXPENDITURES</b>	
RETIREE INSURANCE PREMIUMS	\$ 82,000
<b>Total OPEB Fund Expenditures</b>	<u><u>\$ 82,000</u></u>

**Section 10.** The following revenues are estimated to be available in the Spring Lake Other Post Employment Benefits (OPEB) Fund for the operation of the Spring Lake and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>POSTRETIREMENT INSURANCE FUND (OPEB) REVENUES</b>	
MISCELLANEOUS REVENUES	
EMPLOYEE CONTRIBUTIONS	\$ 2,880
OTHER FINANCING SOURCES	
INTERFUND TRANSFERS	79,120
<b>Total OPEB Fund Revenues</b>	<u><u>\$ 82,000</u></u>

**Section 11.** The following amounts are hereby appropriated in the Capital Reserve Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>CAPITAL RESERVE FUND EXPENDITURES</b>	
CONTINGENCY	144,800
<b>Total Capital Reserve Fund Expenditures</b>	<u><u>\$ 144,800</u></u>

**Section 12.** The following revenues are estimated to be available in the Capital Reserve Fund for the operation of the Spring Lake and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>CAPITAL RESERVE FUND REVENUES</b>	
INVESTMENT EARNINGS	\$ 4,800
OTHER FINANCING SOURCES	
INTERFUND TRANSFERS	140,000
<b>Total Capital Reserve Fund Revenues</b>	<b><u>\$ 144,800</u></b>

**Section 13.** The following amounts are hereby appropriated in the Spring Lake Property Acquisitions Special Revenue Fund for the operation of the unit and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Department</b>	<b>Amount</b>
<b>SPRING LAKE PROPERTY ACQUISITION EXPENDITURES</b>	
SPRING LAKE PROPERTY ACQUISITIONS	\$ 26,200
INTERFUND TRANSFERS	763,800
<b>Total SLPA Fund Expenditures</b>	<b><u>\$ 790,000</u></b>

**Section 14.** The following revenues are estimated to be available in the Spring Lake Property Acquisitions Special Revenue Fund for the operation of the Spring Lake and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

<b>Revenues</b>	<b>Amount</b>
<b>SPRING LAKE PROPERTY ACQUISITION REVENUES</b>	
OTHER FINANCING SOURCES	
SALE OF CAPITAL ASSETS - LAND	\$ 790,000
<b>Total SLPA Fund Revenues</b>	<b><u>\$ 790,000</u></b>

**Section 15:** There is hereby levied a tax at the rate of seventy-four and 1/10<sup>th</sup> cents (\$0.741) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026, for the purpose of raising the revenue listed "Current Year's Property Taxes" in the General Fund in Section 2 of this ordinance.

The property value is listed as \$749,007,228. This rate is based on an estimated rate of collection of 98%. The estimated rate of collection is based upon the 2025 rate of collection as provided by the Cumberland County Tax Assessor's office.

**Section 16.** The Town Finance Officer or designee is hereby authorized to transfer appropriations as contained herein:

- a) Transfers between line-item appropriations within a department or function without limitations and without a report to the governing board being required.
- b) Transfers of up to \$5,000 between departments or functions, within the same fund. The finance officer must make an official report on such transfers at the next regular meeting of the governing board.
- c) All transfers between funds require prior approval by the governing board in an amendment to this budget ordinance.

**Section 17:** The Finance Officer or a designee may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

**Section 18:** The Town Manager and the Finance Officer are hereby authorized to (a) take any actions and to (b) execute and deliver any contract, agreement, and any other document on behalf of the Board of Commissioners that may be necessary, appropriate or desirable for the purpose of collecting Town receipts and expending appropriations from all funds.

**Section 19:** Encumbrances outstanding at June 30, 2026 shall be added to each appropriation to account for the payment in fiscal year ended June 30, 2027.

**Section 20:** Appropriation and implementation of worker's compensation claims based upon usage to the respective functions, departments, divisions and sections upon adoption of the budget.

**Section 21:** Appropriation and implementation of Property, General Liability, Professional Liability and Position Bonds based upon usage to the respective functions, departments, divisions and sections upon adoption of the budget.

**Section 22:** Appropriation and implementation of Interfund Chargeback for services to the respective functions, departments, divisions and sections upon adoption of the budget.

**Section 23:** Copies of this Budget Ordinance shall be furnished to the Board of Commissioners and to the Finance Officer to be kept on file by them for their direction in the disbursement of funds.

I, Carly Autry, Town Clerk, CERTIFY that the foregoing is a true and correct copy of the budget ordinance adopted at a meeting of the Board of Commissioners duly called and held on June 22, 2026.

WITNESS my hand at Spring Lake, this 22th day of June 2026.

---

Carly Autry, Town Clerk  
Town of Spring Lake, North Carolina



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Ordinance No. 2026-04 An Ordinance Declaring a Road Closure for First Friday on Main

**Presenter**

Mayor Kia Anthony

**Summary/Description**

Ordinance to close a portion of Main Street (Johnson Street to Spring Ave.) on Friday, August 7, 2026, Friday, September 4, 2026, Friday, October 2, 2026, and Friday, November 6, 2026, for the First Friday on Main events.

**Requested Action**

Approval

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Ordinance No. 2026-04 An Ordinance Declaring a Road Closure for First Friday on Main  
First Friday on Main notification to NCDOT

# TOWN OF SPRING LAKE NORTH CAROLINA

## ORDINANCE NO. 2026-04

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR FIRST FRIDAY ON MAIN

**WHEREAS,** the Board of Commissioners of the Town of Spring Lake wishes to provide First Friday on Main for the pleasure of its citizens; and

**WHEREAS,** the Board of Commissioners of the Town of Spring Lake acknowledges its citizens realize a public benefit from holding a street event;

**WHEREAS,** the Board of Commissioners of the Town of Spring Lake acknowledges the First Friday on Main is an event scheduled from 6:00 pm until 9:00 pm requiring approximately two (2) hours for set up prior to the beginning of the event, and approximately one (1) hour for clean up after the event.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Spring Lake pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the days and times set forth below on the following described portion of a State Highway System route:

**Date(s):** Friday, August 7, 2026, Friday, September 4, 2026, Friday, October 2, 2026, and Friday, November 6, 2026  
**Times:** 6:00 pm until 9:00 pm  
**Route Description:** Main Street (NC-1449) from Spring Avenue to Johnson Street

Adopted this 22<sup>nd</sup> day of June 2026 by the Town of Spring Lake Board of Commissioners.

ATTEST:

By: \_\_\_\_\_  
Kia Anthony  
Mayor

By: \_\_\_\_\_  
Carly Autry, CMC, NCCMC  
Town Clerk

# Town of Spring Lake

## **BOARD OF COMMISSIONERS**

Fredricka Sutherland, Mayor Pro Tem  
Tony Burgess, Commissioner  
Soñia L. Cooper, Commissioner  
Jackie Jackson, Commissioner  
Adrian Thompson, Commissioner



CHARTERED IN 1951

## **OFFICE OF THE MAYOR**

Kia Anthony, Mayor

## **ADMINISTRATION**

Dennis English Jr., Interim Town Manager  
Carly Autry, Town Clerk  
Michael R. Porter, Town Attorney

June \_\_, 2026

James Flowers  
Division Traffic Engineer  
450 Transportation Drive  
Fayetteville, NC 28302

Dear Mr. Flowers,

This is a notification of our planned "First Friday on Main" events scheduled for Friday, August 7, 2026, Friday, September 4, 2026, Friday, October 2, 2026, and Friday, November 6, 2026, from 6:00 pm to 9:00 pm on Main Street (NC-1449) from Spring Avenue to Johnson Street. We would appreciate any feedback as to whether you are aware of any other special events scheduled for that location, have any maintenance or other activities planned for that area, or have any other concerns during our event.

Attached is Ordinance No. 2026-04; An Ordinance Declaring a Road Closure for First Friday on Main that was adopted by the Town of Spring Lake Board of Commissioners at the Board meeting on Monday, June 22, 2026.

If you have any questions or concerns, do not hesitate to contact me at 910-985-1834 or [clerk@townofspringlake.com](mailto:clerk@townofspringlake.com).

Sincerely,

Carly Autry, CMC, NCCMC  
Town Clerk  
Town of Spring Lake



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Discussion Regarding Revised Draft Policy 9. Purchasing Cards

**Presenter**

Mayor Kia Anthony

**Summary/Description**

Discussion regarding revised Policy No. 9. Purchasing Cards. The proposed policy establishes updated procedures for the issuance, use, administration, and oversight of Town-issued Purchasing Cards (P-Cards). The policy outlines cardholder eligibility and responsibilities, authorized and prohibited purchases, documentation and reconciliation requirements, cybersecurity safeguards for online transactions, audit and monitoring procedures, and measures for addressing fraud, misuse, lost or stolen cards, and employee separation. The revisions are intended to strengthen internal controls, improve accountability, ensure compliance with applicable laws and procurement requirements, and safeguard public funds. Staff recommends adoption of the revised policy.

As part of the Town's ongoing policy review initiative, staff is working to update Board-approved policies that are currently outdated. The goal is to review and update at least two (2) policies during each Work Session to ensure Town policies remain current, compliant with applicable laws and best practices, and reflective of the operational needs of the organization. The Purchasing Card Policy is one of the policies identified for review and consideration as part of this effort.

**Requested Action**

Other – Discussion

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Revised Draft Policy 9. Purchasing Cards

Policy 9. Purchasing Cards, adopted November 9, 2015

Town of Spring Lake	ADMINISTRATIVE & FINANCIAL POLICIES		SUBJECT: PURCHASING CARDS
	Number 9	Revisions 2	Board Approval Date
North Carolina	Supersedes November 9, 2015	Effective Date	Page 1 of 6

## 9.0 PURPOSE

The purpose of this policy is to establish uniform procedures for the issuance, use, administration, and oversight of Town-issued Purchasing Cards (P-Cards).

The Purchasing Card Program is intended to:

- Improve efficiency in acquiring goods and services;
- Reduce administrative costs associated with small-dollar purchases;
- Maintain appropriate internal controls;
- Ensure compliance with applicable laws and Town policies;
- Protect public funds from misuse, fraud, and abuse.

## 9.1 APPLICABILITY

This policy applies to all Town employees, officials, and authorized users who are issued or utilize a Town Purchasing Card.

## 9.2 AUTHORITY

The Finance Director shall administer the Purchasing Card Program.

The Town Manager shall approve all Purchasing Card issuances and establish card limits.

Nothing in this policy supersedes the Town's Purchasing and Contracting Policy or North Carolina purchasing statutes.

## 9.3 DEFINITIONS

**Cardholder**: Individual authorized to use a Town-issued Purchasing Card.

**Program Administrator**: Finance Department employee designated to administer the Purchasing Card Program.

**Approving Supervisor**: Supervisor responsible for reviewing and approving cardholder transactions.

**Single Purchase Limit:** Maximum amount authorized for a single transaction.

**Monthly Credit Limit:** Maximum monthly spending authority assigned to a cardholder.

#### **9.4 ISSUANCE OF CARDS**

A Purchasing Card may be issued only when:

- A legitimate business need exists;
- The employee has completed required training;
- A Cardholder Agreement has been signed;
- Appropriate approvals have been obtained.

Card limits shall be established based on operational need and available budget authority.

#### **9.5 CARDHOLDER RESPONSIBILITIES**

Cardholders shall:

- Use the card only for official Town business;
- Safeguard card information;
- Maintain supporting documentation;
- Ensure purchases comply with Town policies;
- Submit documentation within required deadlines;
- Immediately report lost, stolen, or compromised cards.

The cardholder is responsible for all transactions made using the assigned card.

#### **9.6 AUTHORIZED PURCHASES**

Authorized purchases may include:

- Office supplies;
- Maintenance materials;
- Equipment and tools within approved limits;
- Training and registration fees;
- Emergency operational purchases;
- Other approved departmental expenditures.

All purchases must:

- Serve a legitimate governmental purpose;
- Be within budget appropriations;

- Comply with purchasing thresholds and procurement requirements.

## **9.7 PROHIBITED PURCHASES**

Purchasing Cards shall not be used for:

- Personal purchases;
- Cash advances;
- Gift cards without prior authorization;
- Alcoholic beverages;
- Tobacco or nicotine products;
- Controlled substances;
- Fuel purchases unless specifically authorized;
- Purchases exceeding approved limits;
- Splitting transactions to avoid purchasing thresholds;
- Purchases prohibited by law or Town policy.

Any attempt to circumvent procurement requirements is prohibited.

## **9.8 ONLINE PURCHASES AND CYBERSECURITY**

Online purchases are permitted only through reputable vendors utilizing secure payment platforms.

Cardholders shall:

- Protect card information;
- Not store card numbers on personal devices;
- Use Town-approved systems whenever possible;
- Immediately report suspected fraud or unauthorized activity.

The Town Manager/Finance Director may establish additional cybersecurity controls.

## **9.9 RECEIPTS AND DOCUMENTATION**

Cardholders shall maintain:

- Itemized receipts;
- Invoices;
- Order confirmations;
- Shipping documentation when applicable.

Electronic receipts are acceptable provided they remain accessible and legible.

Missing documentation shall require a written explanation and supervisor approval.

## **9.10 RECONCILIATION AND APPROVAL**

Each month the cardholder shall:

1. Review all transactions.
2. Verify supporting documentation.
3. Assign proper account coding.
4. Submit documentation to the Approving Supervisor.

The Approving Supervisor shall review:

- Business purpose;
- Budget availability;
- Policy compliance;
- Supporting documentation.

Approved transactions shall be submitted to Finance within established deadlines.

## **9.11 AUDITS AND MONITORING**

The Finance Director, or designee, shall conduct periodic reviews and audits of Purchasing Card activity.

Reviews may include:

- Random transaction testing;
- Documentation reviews;
- Merchant category analysis;
- Policy compliance assessments.

Findings may be reported to the Town Manager and external auditors.

## **9.12 FRAUD, MISUSE, AND DISCIPLINARY ACTION**

Unauthorized use may result in:

- Card suspension;
- Card revocation;
- Repayment of unauthorized charges;
- Disciplinary action up to and including termination;
- Criminal prosecution when warranted.

Intentional misuse of public funds shall be treated as a serious violation of Town policy.

### **9.13 LOST, STOLEN, OR COMPROMISED CARDS**

Cardholders shall immediately:

1. Notify the card issuer.
2. Notify the Program Administrator.
3. Notify their supervisor.

Written documentation shall be submitted to the Town Manager and Finance Director within five (5) business days.

### **9.14 EMPLOYEE TRANSFER OR SEPARATION**

Prior to transfer, retirement, resignation, or termination:

- The Purchasing Card shall be surrendered;
- All outstanding documentation shall be submitted;
- Finance shall verify reconciliation of all charges;
- The card account shall be closed or reassigned.

Failure to return a Purchasing Card may result in administrative action.

### **9.15 RECORDS RETENTION**

All Purchasing Card records shall be maintained in accordance with:

- North Carolina Public Records Law;
- Municipal Records Retention and Disposition Schedules;
- Town financial record retention requirements.

Electronic records may be maintained in accordance with approved recordkeeping practices.

### **9.16 PROGRAM REVIEW**

The Finance Director shall periodically review the Purchasing Card Program and recommend updates as necessary.

### **9.17 EFFECTIVE DATE**

This policy shall become effective upon adoption by the Town of Spring Lake Board of Commissioners and shall remain in effect until amended or repealed.

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Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

DRAFT



- 9.4.6 Sample "Lost or Stolen Card Notification"
- 9.4.7 Sample "Return Merchandise Form"
- 9.4.8 Sample "Purchasing Card Maintenance Request"
- 9.4.9 Sample "Purchasing Card Check Out Request"

**9.5 ABBREVIATIONS**

- 9.5.1 TPCP Town Purchasing Card Program

**9.6 DEFINITIONS**

- 9.6.1 Vendor Company or individual from which the Town is purchasing materials and/or equipment or services under the provisions of this policy.
- 9.6.2 Cardholder Town personnel who have been issued purchasing cards and who are authorized to make purchases in accordance with these procedures.
- 9.6.3 Approving Supervisor The cardholder's supervisor or higher level manager, who shall review and approve a cardholder's monthly statement of account.
- 9.6.4 Coordinator The departmental employee responsible for collecting the approved monthly statements and forwarding them to Finance for payment.
- 9.6.5 Statement of Account This is the monthly listing of all transactions by the cardholder, issued by the bank directly to the cardholder.
- 9.6.6 Single Purchase Limit A dollar amount limitation of purchasing authority delegated to a cardholder. This dollar limit may vary from cardholder to cardholder.
- 9.6.7 Monthly Cardholder Limit This is a budgetary dollar limit established for each card holder.

- 9.6.8 Transaction            The act of making a purchase with the purchasing card.
- 9.6.9 Requisitioner        A Town employee who has a need for materials or services that can only be fulfilled by a vendor. Under this Policy, a requisitioner may be a cardholder.
- 9.6.10 Program  
Administrator            Finance Department employee with the responsibility of administering the purchasing card program.

**9.7    RESPONSIBILITIES**

- 9.7.1 The Finance Director shall be responsible for the implementation and enforcement of this policy including annual refresher training for all personnel using a purchasing card.
- 9.7.2 All personnel using purchasing cards under this policy shall be responsible for the purchasing card and its use in accordance with this policy, including attending annual refresher training.

**9.8    RECEIVING A PURCHASING CARD**

- 9.8.1 Department Heads may propose personnel to be cardholders by contacting the Program Administrator to obtain and submit a completed "Request for Purchasing Card" form.
- 9.8.2 The proposed Cardholder shall be issued a copy of this policy and shall be required to sign a "Cardholders Agreement" attesting that the employee has received training on the purchasing card policies and procedures, understands the policies and procedures and accepts his/her responsibilities as a TPCP Cardholder.
- 9.8.3 The Program Administrator shall maintain all records for Purchasing Card requests, limits, cardholder transfers and lost/stolen/destroyed card information.
- 9.8.4 The Town Manager shall have final approval of Purchasing Cardholders.

**9.9    AUTHORIZED PURCHASING CARD USE**

- 9.9.1 The unique Purchasing Card that the Cardholder receives shall have his/her name embossed on it. The cardholder is responsible for all purchases made with this card, whether personally or on behalf of or by another employee.

**9.9.2** Use of the Purchasing Card shall be limited to the following conditions:

- a. The total value of a transaction shall not exceed a Cardholder's single purchase limit. Payment for a purchase SHALL NOT be split into multiple transactions to stay within the single purchase limit.
- b. All spending limits SHALL BE adhered to.

**9.9.3** The Cardholder shall inform the Vendor that the goods are for the Town of Spring Lake use and are to include sales tax on the purchases.

**9.9.4** The items or services that may be procured by using the purchasing card are limited by Section 9.10.

**9.10** **UNAUTHORIZED PURCHASING CARD USE**

**9.10.1** The Purchasing Card **SHALL NOT BE USED** for the following:

- a. Personal purchases or identification.
- b. A single purchase that exceeds the Town's purchasing limits or the Cardholder's single purchase limit.
- c. Cash advances.
- d. Non-emergency telephone calls or monthly telephone service.
- e. Purchases from vendors that have Merchant Blocking.
- f. Use of the Purchasing Card shall not be used to circumvent the spirit of the Town's Purchasing and Contract Policy.
- g. Alcohol

**9.10.2** A Cardholder who makes unauthorized purchases or carelessly uses the purchasing card will be liable to the Town for the total dollar amount of such unauthorized purchases plus any administrative fees charged by the Bank in connection with the misuse. The Cardholder will also be subject to Town of Spring Lake Personnel Policy disciplinary action.

**9.10.3** A Cardholder who has an unauthorized purchase or who carelessly uses the purchasing card will receive a written warning, refresher training and 60 day suspension of purchasing privileges on the first offense. The second offense will be followed by a written warning and card privileges will be revoked

permanently. Additionally, the Cardholder will also potentially be subject to further disciplinary action.

9.10.4 The Cardholder will be responsible for the total dollar amount of any unauthorized purchases. The Town will use all means available to recover the cost of the unauthorized purchase to include payroll deduction from the cardholder's next Town of Spring Lake paycheck.

## 9.11 CARDHOLDER RECORD KEEPING

9.11.1 When a Purchasing Card purchase is made, either over the counter, by telephone, or on the internet, documentation shall be retained as proof of the purchase. Such documentation shall be used to verify the purchases listed on the Cardholder's monthly statement of account. The Cardholder shall document the transaction on the Purchasing Card Log.

9.11.2 When the purchase is made over the counter, the Cardholder shall retain the invoice and "customer copy" of the charge receipt. The Cardholder is responsible to check that the vendor lists the quantity, fully describes the items(s), includes sales tax and does not make arithmetic errors, prior to the Cardholder signing the slip. The transaction's details shall also be added to the cardholders' Purchasing Card Log, Attachment 9.4.4.

9.11.3 When making a purchase by telephone, the cardholder shall also document the transaction on the Purchasing Card Log.

9.11.4 When the goods are received after placing the telephone order, retain all shipping documentation and attach to the Purchasing Card Log.

9.11.5 The Cardholder shall complete all the information on the Purchasing Card Log.

9.11.6 All purchases that are not supported by a detailed listing of the items purchased by the vendor will be deemed unauthorized purchases and subject to the provisions in section 9.10 of this policy.

## 9.12 REVIEW AND APPROVAL OF MONTHLY STATEMENT

9.12.1 Upon receipt of the monthly statements from the bank, the Program Administrator shall distribute them to the appropriate Department Head. The Administrator shall also prepare and submit via e-mail the monthly purchasing card review (Excel Spreadsheet) to the Town Manager.

- a. Upon receipt, the Department Head shall have the Cardholders under their supervision review their statement and compare it to their monthly Purchasing Card Log.

- b. The Cardholder shall attach, in order of the Purchasing Card Log, all documentation such as receipts, shipping tickets, etc., to their statement and monthly Purchasing Card Log. NOTE: As the Town of Spring Lake is able to recoup taxes paid; the Purchasing Card Log must have taxes noted as applicable. Taxes for reimbursed meals or hotel bills including any occupancy taxes should not be noted on the Purchasing Card Log. All shipping and handling charges are to be combined with the actual cost of the product purchased. Documentation for purchases not shown on the Cardholder's statement shall be retained by the employee until the next months statement is received.
- c. The Cardholder is to forward his/her reviewed monthly statement, monthly Purchasing Card Log and attached documentation to their Department Head.
- d. The Department Head shall completely review and sign the Purchasing Card Logs and forward to the Program Administrator/Finance Director prior to Town Manager approval.
- e. Within 10 working days of the original distribution of statements to Department Heads, all checked statements and signed Purchasing Card Logs must be submitted to the Finance Department. Purchasing Card Logs not signed will be returned to the Department Head.

**9.12.2** If the Cardholder does not comply with account reconciliation and authorization procedures as outlined in this policy, privileges may be revoked by the Director of Finance.

**9.12.3** If the Cardholder does not have documentation of a transaction listed on the monthly statement, he/she shall attach an explanation that includes a description of the item(s) purchased, date of purchase, Vendor's name and reason for the lack of supporting documentation.

**9.12.4 Product Returns**

If an item is not satisfactory, shipped incorrectly, damaged and/or defective, a duplicate shipment, etc., the Cardholder shall contact the Vendor as soon as practical to discuss and resolve the situation. If the Vendor has not replaced or otherwise corrected the situation by the date the cardholder receives his/her monthly statement, the purchase of that item will be considered in dispute and should be noted as such on the Purchasing Card Log and attach a "Cardholder Dispute Form". At any time, the Cardholder may, and should if encountering resistance from the Vendor, contact the Program Administrator for assistance with resolution of the situation.

If an item has been returned, the Cardholder shall complete a "Return Merchandise Form" and verify that the applicable credit is reflected on a monthly statement.

9.12.5 If the Cardholder disputes a charge on the statement, especially if fraud is suspected, he/she shall IMMEDIATELY contact the Program Administrator.

9.12.6 If purchased items or credits are not listed on the monthly statement, the appropriate transaction documentation shall be retained by the Cardholder until the next monthly statement. If the purchase or credit does not appear on the statement within 60 days after the date of purchase, the Cardholder shall notify the Program Administrator.

9.12.7 All purchases and monthly statements are subject to random audits by the Finance Department.

### 9.13 MONTHLY ACCOUNT SUMMARIES

9.13.1 Monthly Account Summaries, listing all transactions, shall be issued by the Bank through the Finance Department to the appropriate Department Coordinators and Approving Supervisors. These listings will allow the Approving Supervisors to track their cardholder's activities and act as a checklist for the Coordinators to anticipate which approved monthly statements are due from which cardholders.

9.13.2 The Coordinator shall check the approved monthly statements against the summary, for Approving Supervisor's approval signature and for timeliness of review and approval.

**More than two (2) reminders to a Cardholder by Program Administrator that an approved monthly statement is delinquent will be grounds for withdrawing the purchasing card from that user.**

### 9.14 REPORTS

9.14.1 The following reports are issued by the Bank on a monthly basis:

- a. Statement of Account – listing of all transactions by the Cardholder for the preceding month (30 days), sent directly to the Cardholder through the Finance Department.
- b. Monthly Account Summary – This is the Bank's listing issued to Approving Supervisors and Coordinators covering Cardholder's transactions.

### 9.15 ACCOUNTING TRANSACTION RECORDING

9.15.1 On a monthly basis, the Bank will provide a file, listing all activity for the period, to Accounts Payable. This file will contain the data necessary to post the purchasing card transaction into the Accounts Payable system.

9.15.2 For this purpose, when each purchasing card is issued, the appropriate Fund – Department number will be assigned to the card. All transactions for that card will have this number listed as part of the data file.

#### 9.16 CARD SECURITY

9.16.1 It is the Cardholder's responsibility to safeguard the purchasing card and account number to the same degree that a Cardholder safeguards his/her personal credit information.

The Cardholder must not allow anyone to use his/her account number. A violation of this trust will result in that Cardholder having his/her card withdrawn and disciplinary action taken.

9.16.2 If the card is lost or stolen the Cardholder shall immediately notify the Bank at the following number:

**1-888-449-2273**

Representatives are available 24 hours a day. Advise the representative that the call is regarding a lost VISA Purchasing Card.

The program administrator is also to be notified immediately.

The Cardholder shall also notify his/her Approving Supervisor of the lost or stolen card within one (1) working day after discovering the card missing. The Cardholder shall prepare and submit to his/her Approving Supervisor a written report of the loss within five (5) working days. This report shall include the following information:

- a) The card number;
- b) The Cardholder's full name;
- c) The date and location of the loss of the card;
- d) If stolen, date reported to police;
- e) Date and time the Bank was notified;
- f) Any authorized purchases(s) made on the day the card was lost;

g) Any other relevant information

A copy of this report shall be forwarded to the Purchasing Manager, who shall also notify the Program Administrator. The Program Administrator shall send the "Lost or Stolen Card Notification" form to the Bank (Attachment 9.4.6).

9.16.3 A new card shall be promptly issued to the Cardholder after the reported loss or theft. A card that is subsequently found by the Cardholder after being reported lost shall be given to the Approving Supervisor. The Approving Supervisor shall complete the "Card Destruction Notice" form and forward the card and form to the Program Administrator immediately, who will notify the Bank. An employee may have two cards replaced, after that they will no longer be able to have a card issued to them.

#### 9.17 CARDHOLDER TRANSFER/SEPARATION

9.17.1 Prior to a transfer to another Town department or separation from the Town, the Cardholder shall surrender the purchasing card and current Purchasing Card Log to his/her Approving Supervisor. Upon its receipt, the Approving Supervisor will review, approve and forward to Finance, the month end purchasing card statement. The Approving Supervisor shall complete the "Card Destruction Notice" and forward the card and form to the Program Administrator immediately, who will notify the bank.

9.17.2 In the case of separation of employment of the card holder, the Department Head shall be responsible for notifying Human Resources / Payroll the card is cleared and all charges have proper documentation. Any unauthorized transactions shall be subject to the terms of section 9.10 of this policy.

9.17.2 In the case of a transfer, when the Cardholder reports to his/her new department, he/she may request a new card in accordance with Section 9.8 of this policy.

**REQUEST FOR PURCHASING CARD**

A Town Purchasing Card is requested for the following employee:

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
(Please enter name as you would like it to appear on the card and billing statement. Maximum of 24 letters.)

Work Telephone Number: \_\_\_\_\_

Department Name: \_\_\_\_\_

Title and Brief Job Description:  
\_\_\_\_\_  
\_\_\_\_\_

Types of Purchases to be Made:  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Single Purchase Limit: \$ \_\_\_\_\_ (shall not exceed)

Proposed Single Day Purchase Limit: \$ \_\_\_\_\_ (shall not exceed)

Proposed Monthly Purchase Limit: \$ \_\_\_\_\_ (shall not exceed)

Proxy Designation: \_\_\_\_\_  
Name

Approving Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
(Individual that will be approving cardholder's purchases and countersigning cardholder's monthly statement. Must be individual responsible for budget that cardholder would charge against.)

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

Finance Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Town Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Attachment 9.4.2      **CARDHOLDER AGREEMENT**

In connection with my employment, I am being entrusted with a Town of Spring Lake purchasing card. Upon my acceptance of possession of any such purchasing card, I agree to the following terms or conditions:

1. I agree to use the Town of Spring Lake purchasing card issued to me, or any other Town of Spring Lake purchasing card which comes into my possession, only for legitimate, official purposes for and on behalf of the Town of Spring Lake. **UNDER NO CIRCUMSTANCES WILL I USE A TOWN OF SPRING LAKE PURCHASING CARD FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES.** I further understand that the use of a Town of Spring Lake purchasing card to procure goods or services for other than legitimate, official purposes is fraudulent use. A "legitimate, official" use of a purchasing card is defined as using said purchasing card to procure goods or services for authorized and necessary and ordinary purposes in connection with the operations and activities of the Town of Spring Lake. **AN EMPLOYEE GUILTY OF FRAUDULENT USE MAY BE DISMISSED AND ALSO MAY BE SUBJECT TO CRIMINAL PROSECUTION.**
2. I understand that the use of the purchasing card will be closely monitored and audited and any discrepancies will be immediately handled with the appropriate action.
3. I understand that the Town of Spring Lake will pay for all authorized and legitimate charges made on this purchasing card on behalf of the Town of Spring Lake as determined by the Town's Finance Department.
4. I will follow the established policy for the use of the purchasing card and procedures for which I have received training on. I will not allow a third party to use the purchasing card, and any purchases made with my card will be considered made by me and for which I will be accountable.
5. I will be responsible for the safe keeping of the Town of Spring Lake purchasing card issued to me. If the purchasing card becomes lost or stolen, I will immediately report the same to Bank of America Card Services, the Purchasing Card Program Administrator and my supervisor.
6. I understand and agree that should I leave the employment of the Town of Spring Lake, it is my responsibility to return any purchasing cards in my possession to the Town of Spring Lake prior to my last day of employment. I further agree to return any purchasing cards in my possession to the Town of Spring Lake upon request.
7. I understand and agree that I will safeguard any reports, manuals, documentation, and other materials related to the Purchasing Card Program, and, to the extent allowed by law, will not release the same to the general public. I further agree that, (1) should I leave employment of the Town of Spring Lake, or, (2) the Purchasing Card Program Agreement between the Town of Spring Lake and Bank of America Card Services is terminated, I will

return to the Purchasing Card Program Administrator all material in my possession related to the Purchasing Card Program.

8. I understand that my personal credit should not be affected by the use of the Town of Spring Lake purchasing card for legitimate, official purposes.
9. I have been provided a copy of, and have thoroughly reviewed, the policies and procedures of the Town as they relate to the Purchasing Card Program.

I have read, understand and agree to the conditions above:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Card Receipt:

Cardholder name (print): \_\_\_\_\_ Card number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Cardholder signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attachment 9.4.3 **PURCHASING CARD DESTRUCTION NOTICE**

Date: \_\_\_\_\_

To: Finance Director, Town of Spring Lake

From: \_\_\_\_\_ , \_\_\_\_\_  
Name Title

\_\_\_\_\_  
Department

Name on Card \_\_\_\_\_

Card Number - - - - -

Expiration Date \_\_\_\_\_

The Town of Spring Lake Purchasing Card indicated above was destroyed in the presence of the following individuals:

\_\_\_\_\_  
(Signature) (Printed Name) (Date)

\_\_\_\_\_  
(Signature) (Printed Name) (Date)

\_\_\_\_\_  
(Signature) (Printed Name) (Date)

**(Send this form with the cut up card to the Finance Department)**

Town of Spring Lake P-card Monthly Transaction Log

Cardholder: \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Statement Date: \_\_\_\_\_

Monthly Card Limit: \$ \_\_\_\_\_  
 Default Account No: \_\_\_\_\_

Item No.	Date	Vendor	Subtotal Amount	Sales Tax	Charge Total	Account No.	PO No. MDA	Purpose	
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
<b>Totals</b>									

**Signatures**  
 Cardholder: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Head \_\_\_\_\_ Date: \_\_\_\_\_  
 Town Manager \_\_\_\_\_ Date: \_\_\_\_\_  
 Finance Director \_\_\_\_\_ Date: \_\_\_\_\_

Transactions recorded hereon are preaudited in the manner required by the Local Government Budget and Fiscal Control Act up to the card limit stated above.

**CARDHOLDER DISPUTE FORM**

Cardholder Information:

Name: \_\_\_\_\_ Card Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Merchant Name: \_\_\_\_\_

Transaction Date: \_\_\_\_\_ Transaction #: \_\_\_\_\_

Dollar Amount Disputed: \_\_\_\_\_

Dispute:

The item referenced above is being disputed because:

\_\_\_\_\_ There is a difference in the amount I authorized and the amount I was billed.  
(A copy of your charge must be attached.)

\_\_\_\_\_ I only transacted one charge and I was previously billed for it.  
(Date of previous charge \_\_\_\_\_)

\_\_\_\_\_ The above transaction is mine but I am disputing the transaction.  
(Please state your reasons why in detail.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I do not recognize the above transaction.

\_\_\_\_\_ I have received a credit voucher for the above transaction, but it has not yet appeared on my account. (A copy of the credit voucher must be attached.)

\_\_\_\_\_ My account has been charged for the above transaction, but the merchandise has since been returned. (Please attach a copy of the Returned Merchandise Form and postal receipt.)

\_\_\_\_\_ My account has been charged for the above transaction, but I have not received the merchandise. The details of my attempt to resolve the dispute with the merchant and the merchant's response are indicated below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach the completed form to your monthly statement for review and approval of your supervisor.)

**LOST/STOLEN CARD NOTIFICATION**

Company Name: Town of Spring Lake

Cardholder Name: \_\_\_\_\_

Card Number: \_\_\_\_\_

Card was:  Lost

Stolen

Other (Describe) \_\_\_\_\_  
\_\_\_\_\_

Date and Time Called Into Bank: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Finance Director

Date: \_\_\_\_\_

**(Card holder to send this form to finance who will send it to the bank within two business days of card loss.)**

**MERCHANDISE RETURN FORM**

Ship to:	From: Town of Spring Lake

Phone: \_\_\_\_\_ Ext. \_\_\_\_\_ Date: \_\_\_\_\_

Purchasing Card Number \_\_\_\_\_

Qty.	U/M	Item #	Description

Reason for Return (Check One):

- Wrong item received
- Damaged
- Duplicate order
- Defective
- Did not like product
- Other

Ship VIA:

- Parcel Service – Return Receipt
- UPS (tracking number \_\_\_\_\_)
- Federal Express (tracking number \_\_\_\_\_)
- Vendor

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Attachment 9.4.9 **PURCHASING CARD CHECK OUT REQUEST**

Company Name: Town of Spring Lake

Cardholder Name: \_\_\_\_\_ Date: \_\_\_\_\_

Card Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Explanation for Card Request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Expected Return Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Cardholder

Cardholder Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Town Manager

Actual Return Date: \_\_\_\_\_

Signature on Date of Return: \_\_\_\_\_

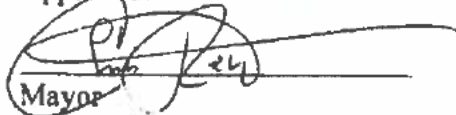
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Approved:

  
Mayor

Town of Spring Lake  
Board of Aldermen

11-10-2015  
Date

Attest: Rhonda C. Webb  
Town Clerk

# The Town of Spring Lake

## BOARD OF ALDERMEN

James P. O'Garra, Mayor Pro Tem  
James Christian, Alderman  
Richard P. Higgins, Alderman  
Densie Lucas, Alderwoman  
Fredricka Sutherland, Alderwoman



CHARTERED IN 1951

## OFFICE OF THE MAYOR

Chris V. Rey, Mayor

## ADMINISTRATION

Addison D. "Tad" Davis IV, Town Manager  
Rhonda D. Webb, Town Clerk  
Robert A. "Tony" Buzzard, Town Attorney

Memorandum for Department Heads, Town of Spring Lake

August 29, 2016

Subject: Approved Purchasing Cardholders, Town of Spring Lake

1. Purpose. To provide a list of approved Purchasing Cardholders to support daily Departmental purchases in support of authorized mission requirements.
2. Reference. Purchasing Card Policy, Town of Spring Lake (current working draft).
3. Responsibilities.
  - a. Department Heads. Will ensure that individuals within their Department identified on Attachment A are properly trained, have received and understand the Town Purchasing Card Policy, and have signed the Cardholder Agreement.
  - b. Individual Purchasing Cardholders. The individuals identified on Attachment A are authorized to maintain a Town issued Purchasing Card for the purpose of supporting daily Departmental requirements that meet the criteria for use of a Purchasing Card.

Tad Davis

Addison D. "Tad" Davis, IV  
Town Manager

**PURCHASING CARDS - DESIGNATED CARDHOLDERS (Attachment A)**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Department</u></b>
Rhonda Webb	Town Clerk	Administration
T.J. McLamb	Fire Chief	Fire
Jason Williams	Assistant Fire Chief	Fire
Rosa Henegan	Director	Human Resources
J.C. Combs	Assistant Director	Parks & Recreation
Troy McDuffie	Chief of Police	Police
Billy Tharpe	Captain	Police
Thomas Cooney	Director	Public Works
John Kleinert	Director	Streets, Grounds, Sanitation
Doris Snider	Director	Senior Enrichment
Byron Blumenfeld	Director	Water Operations
Dean Byrd	Supervisor	Water Operations

**AS OF 08/29/16**



# Board of Commissioners Agenda Cover Sheet

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**Meeting Date**

June 22, 2026

**Agenda Location**

New Business

**Item Title**

Discussion Regarding Revised Draft Policy 19. Code of Ethics for Board Members

**Presenter**

Mayor Kia Anthony

**Summary/Description**

Discussion regarding revised Policy No. 19. Code of Ethics for Board Members. The proposed policy updates and modernizes the Town's Code of Ethics in accordance with North Carolina law and establishes standards of ethical conduct for elected officials. The policy addresses conflicts of interest, open meetings, public records, social media and electronic communications, Board and staff relationships, quasi-judicial proceedings, transparency, civility, and the responsible stewardship of public resources. The revisions are intended to promote public trust, accountability, professionalism, and ethical decision-making while ensuring compliance with applicable federal and state laws.

This policy was previously dissolved by the Board on January 13, 2025. Adoption of the revised policy would reinstate a formal Code of Ethics for Board Members and may be in the best interest of the Town to provide clear ethical standards and guidance for Board conduct. This policy is being presented as part of the Town's ongoing effort to review and update Board-approved policies that are currently outdated.

**Requested Action**

Other - Discussion

**Funding Source (If Applicable):**

N/A

**Cost:** N/A Yes  No

**Additional Documents to be Included in Agenda Packet**

Revised Draft Policy 19. Code of Ethics for Board Members

Policy 19. Code of Ethics for Board Members, adopted November 9, 2015

Town of Spring Lake	ADMINISTRATIVE POLICY GOVERNING BOARD		SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS
	Number 19	Revisions 3	Board Approval Date
North Carolina	Supersedes November 9, 2015	Effective Date	Page 1 of 6

**19.0 PREAMBLE**

**WHEREAS**, the proper operation of democratic government requires that public officials be independent, impartial, and responsible to the people, that governmental decisions and policy be made in proper channels of the governmental structure, that public office not be used for personal gain and that the public have confidence in the integrity of its government; and

**WHEREAS**, Section §160A-86 of the North Carolina General Statutes requires local governing boards to adopt a Code of Ethics; and

**WHEREAS**, as public officials, we are charged with upholding the trust of the citizens of the Town of Spring Lake, and with obeying the law; and

**WHEREAS**, we have each taken the Oath of Office required by the Constitution of North Carolina and have pledged that we will "support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith" and further that we will "faithfully discharge the duties of our office."

**NOW, THEREFORE**, in recognition of our blessings and obligations of the State of North Carolina and as public officials representing the citizens and residents of the Town of Spring Lake, and acting pursuant to the requirements of Section §160A-86 of the North Carolina General Statutes, we the Board of Commissioners of the Town of Spring Lake, North Carolina, do hereby adopt the following General Principles and Code of Ethics to guide the Mayor and Board of Commissioners in its lawful decision making.

**19.1 PURPOSE**

The purpose of this Code of Ethics is to establish standards of ethical conduct for members of the Spring Lake Board of Commissioners in the performance of their official duties and responsibilities.

This policy is intended to:

1. Promote public confidence in local government.
2. Encourage ethical decision-making and accountability.
3. Ensure compliance with applicable federal and North Carolina laws.
4. Foster professionalism, civility, transparency, and respect.

Preserve the integrity of the Town's governing process.

The citizens of the Town of Spring Lake are entitled to fair, ethical, accountable, and transparent government.

Members of the Board of Commissioners shall conduct themselves in a manner that promotes public trust and confidence in local government.

## **19.2 AUTHORITY**

This policy is adopted pursuant to North Carolina General Statutes requiring local governing boards to adopt a Code of Ethics and to receive ethics education.

Board members shall comply with all applicable provisions of North Carolina law, including but not limited to laws governing:

- Open Meetings;
- Public Records;
- Conflicts of Interest;
- Quasi-Judicial Proceedings;
- Government Contracting;
- Ethics Education Requirements; and
- Other applicable local government statutes.

## **19.3 DEFINITIONS**

**Conflict of Interest** – A situation in which a Board member's personal, financial, business, family, or other private interests may impair or reasonably appear to impair the member's ability to act impartially in the public interest.

**Immediate Family** – A spouse, domestic partner, parent, child, sibling, grandparent, grandchild, in-law, or any person residing in the Board member's household.

**Public Record** – Any record, regardless of physical form or characteristics, made or received pursuant to law or Ordinance in connection with the transaction of public business.

**Town Business** – Any matter involving Town operations, policies, programs, finances, contracts, personnel matters, development applications, public services, or any matter that may come before the Board.

## **19.4 APPLICABILITY**

This policy applies to all elected members of the Spring Lake Board of Commissioners, including the Mayor.

Board members are expected to comply with this policy at all times while serving in their official capacities and when representing the Town.

## **19.5 STANDARDS OF CONDUCT**

### **A. Compliance with Law**

Board members shall:

1. Obey all applicable federal, state, and local laws.
2. Uphold the United States Constitution and the Constitution of North Carolina.
3. Perform their duties in accordance with their Oath of Office.
4. Complete ethics education and other training required by law.

### **B. Integrity and Independence**

Board members shall:

1. Act solely in the public interest.
2. Avoid actual conflicts of interest and the appearance of conflicts of interest.
3. Refrain from using their office for personal, political, or financial gain.
4. Not accept gifts, favors, services, or benefits that could influence or appear to influence official actions.
5. Disclose any potential conflict of interest before participating in discussion or voting.

### **C. Respect and Civility**

Board members shall:

1. Treat fellow Board members, Town employees, residents, volunteers, consultants, and members of the public with dignity and respect.
2. Encourage open and constructive discussion.
3. Avoid personal attacks, harassment, intimidation, threats, or abusive conduct.
4. Disagree respectfully and professionally.
5. Support the Board's commitment to civil governance and professional conduct.

Nothing in this section is intended to restrict lawful expression of opinions or policy positions.

### **D. Board and Staff Relationships**

Board members shall recognize that:

1. The Board acts as a body and not through individual members.
2. Individual Board members possess no authority to direct Town employees unless specifically authorized by the Board.
3. Administrative operations are the responsibility of the Town Manager.

4. Requests for information should be directed through established administrative channels.
5. Employees shall not be pressured to support personal or political interests.

Board members shall not:

- Direct the work of employees;
- Attempt to supervise employees;
- Interfere with administrative decisions;
- Use their position to secure special treatment from Town staff.

### **E. Open Government and Transparency**

Board members shall:

1. Support open, transparent government.
2. Comply with North Carolina Open Meetings Law.
3. Conduct public business in public whenever possible.
4. Respect the confidentiality of properly Closed Session discussions.
5. Avoid discussing confidential closed session matters outside authorized settings.

### **F. Public Records**

Board members shall:

1. Comply with North Carolina Public Records Law.
2. Preserve records relating to Town business regardless of whether such records are maintained on:
  - Town-issued devices;
  - Personal devices;
  - Personal email accounts; or
  - Social media platforms.
3. Cooperate with lawful public records requests.
4. Promptly provide responsive public records when requested by the designated records custodian.

### **G. Social Media and Electronic Communications**

Board members shall use social media and electronic communications responsibly.

Board members shall not:

1. Conduct deliberations among a quorum of Board members outside a properly noticed meeting.
2. Use electronic communications to circumvent Open Meetings requirements.
3. Represent personal opinions as official Town positions unless authorized by the Board.
4. Use social media to harass, threaten, or intimidate others.

Board members are encouraged to:

1. Clearly distinguish personal views from official Town positions.
2. Maintain professionalism in online communications.
3. Recognize that communications regarding Town business may constitute public records.

#### **H. Conflicts of Interest**

Board members shall disclose any financial, business, personal, or family interest that may create a conflict or appearance of conflict.

When required by law, Board members shall:

1. Recuse themselves from discussion;
2. Abstain from voting; and
3. Leave the Board table when appropriate.

Board members should seek guidance from the Town Attorney whenever questions arise regarding conflicts of interest.

#### **I. Quasi-Judicial Proceedings**

When acting in a quasi-judicial capacity, Board members shall:

1. Remain impartial.
2. Avoid ex parte communications.
3. Base decisions solely upon competent evidence presented in the record.
4. Disclose any information that may affect impartiality.
5. Recuse themselves when required by law.

Board members shall:

1. Protect public funds and property.
2. Use Town resources only for authorized governmental purposes.
3. Exercise sound judgment in the expenditure of public funds.
4. Avoid waste, fraud, abuse, or misuse of Town assets.

#### **19.6 ETHICS EDUCATION**

Board members shall complete ethics education required by North Carolina law and participate in continuing education opportunities that promote effective governance and ethical leadership.

The Town Clerk shall maintain records of completed ethics training.

**19.7 REPORTING ETHICAL CONCERNS**

Board members are encouraged to raise ethical concerns through appropriate channels, including:

- The Mayor;
- The Town Manager;
- The Town Attorney; or
- The Board as a whole.

Questions concerning ethics, conflicts of interest, public records, or open meetings should be referred to the Town Attorney.

**19.8 VIOLATIONS**

This Code of Ethics serves as a statement of expected conduct and guiding principles.

Nothing in this policy creates an independent cause of action or alters any remedies available under federal or state law.

Violations may be addressed by:

1. Public discussion;
2. Training or education;
3. Board-issued statements;
4. Formal censure as permitted by law; or
5. Other lawful actions available to the Board.

Nothing in this policy limits the Town's ability to refer matters to appropriate law enforcement, regulatory agencies, or other authorities when warranted.

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

Town of Spring Lake	ADMINISTRATIVE POLICY GOVERNING BOARD		SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS
North Carolina	Number 19	Revisions 1	Board Approval Date November 9, 2015
	Supersedes June 4, 2010	Effective Date November 10, 2015	Page 1 of 21

## 19.0 FORWARD

This policy is intended to establish guidelines for ethical standards of conduct for Members of the Board of Aldermen to be compatible with the following philosophies:

1. The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people.
2. Government decisions and policy must be made in proper channels of the government structure.
3. Public office must not be used for personal gain; and
4. The public must have confidence in the integrity of its government.

## 19.1 LAW

All North Carolina cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties must, by January 1, 2011, adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of the member's official duties as a member of that governing board. G.S. 160A-86 (Appendix 1).

## 19.2 DEFINITIONS

**Ethics** – Positive principles of conduct that promote the ideals of honest, open, respectful and impartial governance of the people and responsible use of the people's property.

**Interest** (as in acquiring an interest) – Any personal benefit accruing to a public servant (or immediate family member,) regardless of the name or title in which the interest is held, which is or which is likely to become the subject of an official action with the Town. For purposes of determining the ownership interest of a public servant in a business entity (corporation, partnership, trust, or other association,) any legal or equitable interest exceeding 10% in the business entity shall require disclosure and abstention of participation in any Town action dealing with the business entity.

**Private benefit or personal gain** – Any benefit, whether offered or received, for the purpose of influencing the performance or non performance of any official action of a public servant in favor of some interest other than the public interest. Personal gain does no include salaries or stipends paid by the Town, reimbursements for actual expenses paid, admission to events in which public servants are invited to attend in their official capacity, lawful campaign contributions, any personal gift with a value less than \$100, or meals provided by the Town for the convenience of the Town.

**Personal interest or private interest** – Any direct or indirect interest having a value peculiar to a particular individual or group, whether the value is pecuniary or non-pecuniary, which interest is not shared commonly for the good of the Town.

**Personal gifts** – Anything of a value exceeding \$100 received from someone other than a direct family member.

### **19.3 COVERAGE**

This policy, upon adoption by the Board of Aldermen, shall remain in effect until such time that it is altered or modified by the Spring Lake Board of Aldermen due to changes in the law made by the North Carolina General Assembly.

### **19.4 STANDARDS OF CONDUCT**

- 1. Board Members shall obey all applicable laws regarding official actions taken as a Board Member.**
  - a. Board members should take seriously the pledge to protect and support the state and federal constitution and laws that they swore or affirmed as part of their oath of office.
  - b. Board members should endeavor to keep up to date, through the Board's attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar to meet their legal responsibilities. (See Appendix 2.)
  - c. Board members who are honest, fair, kind, and compassionate and who conscientiously uphold the public trust will honor the spirit as well as the letter of the law.
- 2. Members of the Board of Aldermen shall uphold the integrity and independence of the Board Member's office.**

- a. Board members should use their best independent judgment to make decisions based on the public good and not on their desires or considerations of special interests.
- b. Board members should remain incorruptible, self-governing, and unaffected by improper influence which at the same time being able to consider the opinions and ideas of others.
- c. Board members should treat other board members and the public with respect and honor the opinions of others even when the board members disagree with those opinions.
- d. Board members should show respect for their offices and not behave in ways that reflect badly on those offices.
- e. Board members should recognize that they are part of a larger group and act accordingly.
- f. Board members should recognize that the Board must take official action as a body. They are not generally allowed to act on behalf of the entire Board; but may do so only if the Board specifically authorizes it.
- g. No Board member should engage in or accept employment or render service for private interest when such employment or service is incompatible with the proper discharge of the board member's public duties or would tend to impair his/her independence of judgment or action in the performance of official duties.
- h. Board members should avoid financial conflict of interest and should not accept a personal benefit from people requesting them to affect decisions.
- i. Board members should not attempt to use their position as Board members to influence any staff member in the execution of the staff member's duties.
- j. Board members should use the Town's powers and resources for the benefit of the public rather than any Board member's personal or political benefit.
- k. Board member's intervention on behalf of constituents or friends should be limited to assuring fairness of procedures, clarifying policies or improving service for citizens.

**3. Members of the Board of Aldermen should avoid impropriety in the exercise of their official duties.**

- a. Board members should promote public respect by avoiding the appearance of being or acting improper.

- b. No Board member should use his/her official position to use Town's facilities for private or political gain.
- c. Board members should not give the appearance of impropriety or personal gain by accepting personal gifts.
- d. Board members should not give the appearance of impropriety or political gain by using Town resources to give personal gifts, perform favors or provide services that would not be otherwise available to all members of the public.
- e. Political or referenda campaigns shall not be conducted on Town time or property.
- f. Board members should not request or permit the use of Town-owned vehicles, equipment, materials or property or enlist Town personnel for convenience or favor or profit or political purposes, except when such services are available to the public generally.
- g. Board members should avoid discreditable personal conduct. They should be personally honest and refrain from personal attacks.
- h. Board members should not allow family, social, or other relationships to unduly influence their conduct or judgment and should not lend the prestige of the office of Board of Aldermen to advance the private interest of others.

**4. Members of the Board of Aldermen shall faithfully perform the duties of their office.**

- a. Board members should act as especially responsible citizens whom others can trust and respect.
- b. Board members should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.
- c. Board members should faithfully attend and prepare for meetings.
- d. Board members should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters.
- e. Board members should demand full accountability from those over whom the Board has authority.
- f. Board members should be willing to bear their fair share of the Board's workload, to the extent appropriate they should be willing to put the Board's interest ahead of their own.

- g. Whistle-blowing is appropriate with regard to unlawful or improper actions; however, Board members bear the responsibility of avoiding accusations of wrong-doing without substantiated and validated facts.
- h. Board members owe to each other a duty of candor, full disclosure, and good faith with respect to any information regarding any official action of the Town and should not withhold or falsify information that, if available to their members, would assist in their decision-making, nor should they improperly promote such information to a third party without the opportunity for a full and frank discussion among the Board members.
- i. Board members should be faithful to the general and local laws pertaining to the office and strive for professional competence in them. They should not be swayed by partisan interest, public clamor or fear of criticism.

**5. Members of the Board of Aldermen shall conduct the affairs of the Board in an open and public manner.**

- a. Board members should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. He/she will see openness or transparency as an important part of that responsibility.
- b. Board members should remember when they meet that they are conducting the public's business and that local government records belong to the public and not to board members or their employees.
- c. Board members should take deliberate steps to make certain that any closed sessions held by the Board are lawfully conducted and that such sessions do not stray from the purposes for which they are called. Additionally, Board members should respect the purpose of discussing business in closed session and refrain from discussing matters that were addressed in closed session with anyone who was not involved in the closed session.
- d. Board members should ensure that citizens have a fair and equal opportunity to express their views to Board members.
- e. Open government allows citizens to make informed judgments and to hold Board members accountable. Board members should ensure that their local government is self-monitoring, with procedures in place to promote appropriate actions.

**19.5 VIOLATION OF CODE**

G.S. 160A-86 does not describe or authorize sanctions or other means of enforcing locally adopted ethics codes. Legal action can only be taken if a Board member's

behavior violates some other law, such as the state's criminal law, the open meetings or public records law, or a common law or constitutional limitation that affects governmental actions. When a Board member does not comply with the Code of Ethics, the rest of the board can do little other than adopting a resolution censuring the member.

Censure Procedures.

If a majority of the Board has reason to believe that one of its members has violated a provision of this Code of Ethics, it may open an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. All information compiled, including the grounds for any finding of probable cause, shall be shared with other Board members when it is received. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Carolina public records statutes. If upon investigation the Board concludes that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney.

Should the Board determine that it wishes to proceed further with censure proceedings, it shall call for a hearing, to be held at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place and purpose shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the jurisdiction. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the member is available for public inspection and copying in the office of the clerk.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statutes.

The accused Board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses, and to offer evidence, including evidence of the bias of any other Board member or the presiding officer. An audio or video and audio tape of the proceedings shall be prepared. Any and all votes during the hearing shall be taken by the ayes and noes and recorded in the board's minutes.

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion and second to adopt a nonbinding resolution censuring the member based on specified violations of the Code of Ethics. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the Code of Ethics, the presiding officer shall rule it out of order.

If a motion to adopt a nonbinding resolution of censure stating particular grounds under the Code of Ethics has been made, the board shall debate the motion. The accused

member shall be allowed to participate in the debate but shall not be allowed to vote on the motion to adopt the resolution.

At the conclusion of the debate, the board shall vote on the resolution. If the motion to adopt the nonbinding resolution of censure is approved by a majority vote of those members present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted.

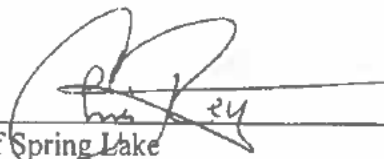
The text of the nonbinding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's proceedings shall be approved by the board as a permanent part of the minutes. The proceedings shall then be considered concluded, the board having done all it legally can with respect to the matter in question.

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Approved:

Mayor:   
Town of Spring Lake  
Board of Aldermen

Date: 11-10-2015

Attest:

  
Town Clerk

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**Appendix 1**

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-403  
HOUSE BILL 1452**

AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 5 of Chapter 160A of the General Statutes is amended by adding a new Part to read:

"Part 3A. Ethics Codes and Education Programs.

**"§ 160A-83. Local governing boards' code of ethics.**

(a) Governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of the member's official duties as a member of that governing board.

(b) The resolution or policy required by subsection (a) of this section shall address at least all of the following:

- (1) The need to obey all applicable laws regarding official actions taken as a board member.
- (2) The need to uphold the integrity and independence of the board member's office.
- (3) The need to avoid impropriety in the exercise of the board member's official duties.
- (4) The need to faithfully perform the duties of the office.
- (5) The need to conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws governing open meetings and public records.

**"§ 160A-84. Ethics education program required.**

(a) All members of governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall receive a minimum of two clock hours of ethics education within 12 months after initial election or appointment to the office and again within 12 months after each subsequent election or appointment to the office.

(b) The ethics education shall cover laws and principles that govern conflicts of interest and ethical standards of conduct at the local government level.

(c) The ethics education may be provided by the North Carolina League of Municipalities, North Carolina Association of County Commissioners, North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the governing board.

(d) The clerk to the governing board shall maintain a record verifying receipt of the ethics education by each member of the governing board."

**SECTION 2.** G.S. 115C-47 is amended by adding a new subdivision to read:

"(57) To adopt a code of ethics. – Local boards of education shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83."

**SECTION 3.** G.S. 115C-50 reads as rewritten:

**"§ 115C-50. Training of board members.**

Page 2 Session Law 2009-403 SL2009-0403

(a) All members of local boards of education, whether elected or appointed, shall receive a minimum of 12 clock hours of training annually. The 12 clock hours of training may include the ethics education required by G.S. 160A-84.

(b) The training shall include but not be limited to public school law, public school finance, and duties and responsibilities of local boards of education.

(c) The training may be provided by the North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the local board of education."

**SECTION 4.** Article 4 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-53. Ethics.**

(a) The board of commissioners shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the board of commissioners, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 5.** Article 1A of Chapter 160B of the General Statutes is amended by adding a new section to read:

**"§ 160B-2.3. Ethics.**

(a) The governing board shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the governing board, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 6.** Part 2 of Article 2 of Chapter 130A of the General Statutes is amended by adding a new section to read:

**"§ 130A-49.5. Ethics.**

(a) The governing board shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the governing board, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 7.** The resolution or policy containing a code of ethics that is required by G.S. 160A-83 shall be adopted by each municipality, county, local board of education, unified government, sanitary district, and consolidated city-county on or before January 1, 2011. The governing board may look to model local government codes of ethics for guidance in developing the resolution or policy.

**SECTION 8.** Except as otherwise provided in this act, this act becomes effective January 1, 2010. All members of governing boards covered by this act shall receive their initial training to comply with G.S. 160A-84 within 12 months after that date.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of July, 2009.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 2:00 p.m. this 5<sup>th</sup> day of August, 2009

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## Appendix 2

The following guidelines are designed to translate current legal requirements into specific behaviors board members should avoid. While statutory provisions should be viewed as a minimum standard, board members should always consider whether there are ethical problems with other behaviors, even if such behavior does not violate criminal or other statutes dealing with conflicts of interest or other subjects.

1. **Avoid deriving a direct benefit from contracts in which you are involved in making or administering on behalf of the public agency.** (G.S. 14-234(a)(1); criminal penalty; note defined terms in the statute: *direct benefit, involved in making or administering a contract.*)
2. **Avoid attempting to influence others involved in making or administering a contract on behalf of the public agency, even if you aren't involved, if you will drive a direct benefit from the contract.** (G.S. 14-234(a)(2); criminal penalty; note defined terms in the statute: *direct benefit, involved in making or administering a contract.*)
3. **Avoid soliciting or receiving any gift or reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency you serve.** (G.S. 14-234(a)(3); criminal penalty.)
4. **Consider the ethical and practical consequences of deriving a direct benefit from a contract that is authorized under any exception to the statute, and weigh these considerations against the potential advantage to the public agency and to yourself. Follow reporting requirements to ensure transparency.** (G.S. 14-234(b); (d1).)
5. **Avoid participating in deliberations about or voting on a contract in which you have a direct benefit, when the contract is undertaken as allowed under any exception to the statute.** (G.S. 14-234(b1); criminal penalty.)
6. **Avoid using your knowledge of contemplated action by you or your unit, or information known to you in your official capacity and not made public, to acquire a financial interest in any property, transaction, or enterprise, or to gain a financial benefit that may be affected by the information or contemplated action. Avoid intentionally aiding another to do any of these things.** (G.S. 14-234.1; criminal penalty.)
7. **Avoid receiving any gift or favor from a current, past, or potential contractor.** (G.S. 133-32(a); criminal penalty.)
8. **Consider the ethical and practical consequences of accepting a gift or favor under any exception to the statutory prohibition, and follow reporting requirements to ensure transparency.** (G.S. 133-32(d).)
9. **Avoid voting on matters involving your own financial interest or official conduct.** (G.S. 160A-75.) **Identify and disclose these matters in advance so your board can determine whether you have a conflict allowing you to be excused by the board from voting. When in doubt, obtain an opinion from your local attorney about whether you must vote or may be excused.**

10. **Avoid voting on any zoning map or text amendment where the outcome of the vote is reasonable likely to have a direct, substantial, and readily identifiable financial impact on you. (G.S. 160A-381(d).)**
11. **Do not participate in or vote on any quasi-judicial matter, including matters that come before the board when the board is acting in a quasi-judicial capacity under G.S. 160A-388, if participation would violate affected persons' constitutional right to an impartial decision-maker. Impermissible conflicts under this statutory standard include "having a fixed opinion prior to hearing the matter that is not susceptible to change"; "undisclosed ex parte communications [communications between a board member and someone involved in the matter that occur outside the official quasi-judicial proceeding]"; "a close familial, business, or other associational relationship with an affected person"; or "a financial interest in the outcome of the matter." (G.S. 160A-388(e1); violation of the constitutional standard by one member invalidates the entire vote.)**
12. **Fulfill your statutory obligation to vote on all matters that come before you even when there are appearance of conflict, and only refrain from voting when there is a legal basis for being or a requirement to be excused from voting. (G.S. 160A-75.)**

## North Carolina General Statutes

### § 14-230. Willfully failing to discharge duties.

If any clerk of any court of record, sheriff, magistrate, school board member, county commissioner, county surveyor, coroner, treasurer, or official of any of the State institutions, or of any county, city or town, shall willfully omit, neglect or refuse to discharge any of the duties of his office, for default whereof it is not elsewhere provided that he shall be indicted, he shall be guilty of a Class 1 misdemeanor. If it shall be proved that such officer, after his qualification, willfully and corruptly omitted, neglected or refused to discharge any of the duties of his office, or willfully and corruptly violated his oath of office according to the true intent and meaning thereof, such officer shall be guilty of misbehavior in office, and shall be punished by removal therefrom under the sentence of the court as a part of the punishment for the offense.

### § 14-234. Public officers or employees benefiting from public contracts; exceptions.

- (a) (1) No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law.
- (2) A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract.
- (3) No public officer or employee may solicit or receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.
- (a1) For purposes of this section:
- (1) As used in this section, the term "public officer" means an individual who is elected or appointed to serve or represent a public agency, other than an employee or independent contractor of a public agency.
- (2) A public officer or employee is involved in administering a contract if he or she oversees the performance of the contract or has authority to make decisions regarding the contract or to interpret the contract.
- (3) A public officer or employee is involved in making a contract if he or she participates in the development of specifications or terms or in the preparation or award of the contract. A public officer is also involved in making a contract if the board, commission, or other body of which he or she is a member takes action on the contract, whether or not the public officer actually participates in that action, unless the contract is approved under an exception to this section under which the public officer is allowed to benefit and is prohibited from voting.

- (4) A public officer or employee derives a direct benefit from a contract if the person or his or her spouse: (i) has more than a ten percent (10%) ownership or other interest in an entity that is a party to the contract; (ii) derives any income or commission directly from the contract; or (iii) acquires property under the contract.
  - (5) A public officer or employee is not involved in making or administering a contract solely because of the performance of ministerial duties related to the contract.
- (b) Subdivision (a)(1) of this section does not apply to any of the following:
- (1) Any contract between a public agency and a bank, banking institution, savings and loan association, or with a public utility regulated under the provisions of Chapter 62 of the General Statutes.
  - (2) An interest in property conveyed by an officer or employee of a public agency under a judgment, including a consent judgment, entered by a superior court judge in a condemnation proceeding initiated by the public agency.
  - (3) Any employment relationship between a public agency and the spouse of a public officer of the agency.
  - (4) Remuneration from a public agency for services, facilities, or supplies furnished directly to needy individuals by a public officer or employee of the agency under any program of direct public assistance being rendered under the laws of this State or the United States to needy persons administered in whole or in part by the agency if: (i) the programs of public assistance to needy persons are open to general participation on a nondiscriminatory basis to the practitioners of any given profession, professions or occupation; (ii) neither the agency nor any of its employees or agents, have control over who, among licensed or qualified providers, shall be selected by the beneficiaries of the assistance; (iii) the remuneration for the services, facilities or supplies are in the same amount as would be paid to any other provider; and (iv) although the public officer or employee may participate in making determinations of eligibility of needy persons to receive the assistance, he or she takes no part in approving his or her own bill or claim for remuneration.
- (b1) No public officer who will derive a direct benefit from a contract entered into under subsection (b) of this section may deliberate or vote on the contract or attempt to influence any other person who is involved in making or administering the contract.
- (c) through (d) Repealed by Session Laws 2001-409, s. 1, effective July 1, 2002.
- (d1) Subdivision (a)(1) of this section does not apply to (i) any elected official or person appointed to fill an elective office of a village, town, or city having a population of no more than 15,000 according to the most recent official federal census, (ii) any elected official or person appointed to fill an elective office of a county within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, (iii) any elected official or person appointed to fill an elective office on a city board of education in a city having a population of no more than 15,000 according to the most recent official federal census, (iv) any elected

official or person appointed to fill an elective office as a member of a county board of education in a county within which there is located no village, town or city with a population of more than 15,000 according to the most recent official federal census, (v) any physician, pharmacist, dentist, optometrist, veterinarian, or nurse appointed to a county social services board, local health board, or area mental health, developmental disabilities, and substance abuse board serving one or more counties within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, and (vi) any member of the board of directors of a public hospital if all of the following apply:

- (1) The undertaking or contract or series of undertakings or contracts between the village, town, city, county, county social services board, county or city board of education, local health board or area mental health, developmental disabilities, and substance abuse board, or public hospital and one of its officials is approved by specific resolution of the governing body adopted in an open and public meeting, and recorded in its minutes and the amount does not exceed twenty thousand dollars (\$20,000) for medically related services and forty thousand dollars (\$40,000) for other goods or services within a 12-month period.
- (2) The official entering into the contract with the unit or agency does not participate in any way or vote.
- (3) The total annual amount of contracts with each official, shall be specifically noted in the audited annual financial statement of the village, town, city, or county.
- (4) The governing board of any village, town, city, county, county social services board, county or city board of education, local health board, area mental health, developmental disabilities, and substance abuse board, or public hospital which contracts with any of the officials of their governmental unit shall post in a conspicuous place in its village, town, or city hall, or courthouse, as the case may be, a list of all such officials with whom such contracts have been made, briefly describing the subject matter of the undertakings or contracts and showing their total amounts; this list shall cover the preceding 12 months and shall be brought up-to-date at least quarterly.

(d2) Subsection (d1) of this section does not apply to contracts that are subject to Article 8 of Chapter 143 of the General Statutes, Public Building Contracts.

(d3) Subsection (a) of this section does not apply to an application for or the receipt of a grant under the Agriculture Cost Share Program for Nonpoint Source Pollution Control created pursuant to Part 9 of Article 21 of Chapter 143 of the General Statutes or the Community Conservation Assistance Program created pursuant to Part 11 of Article 21 of Chapter 143 of the General Statutes by a member of the Soil and Water Conservation Commission if the requirements of G.S. 139-4(e) are met, and does not apply to a district supervisor of a soil and water conservation district if the requirements of G.S. 139-8(b) are met.

(d4) Subsection (a) of this section does not apply to an application for, or the receipt of a grant or other financial assistance from, the Tobacco Trust Fund created

under Article 75 of Chapter 143 of the General Statutes by a member of the Tobacco Trust Fund Commission or an entity in which a member of the Commission has an interest provided that the requirements of G.S. 143-717(h) are met.

(d5) This section does not apply to a public hospital subject to G.S. 131E-14.2 or a public hospital authority subject to G.S. 131E-21.

(d6) This section does not apply to employment contracts between the State Board of Education and its chief executive officer.

(e) Anyone violating this section shall be guilty of a Class 1 misdemeanor.

(f) A contract entered into in violation of this section is void. A contract that is void under this section may continue in effect until an alternative can be arranged when: (i) immediate termination would result in harm to the public health or welfare, and (ii) the continuation is approved as provided in this subsection. A public agency that is a party to the contract may request approval to continue contracts under this subsection as follows:

(1) Local governments, as defined in G.S. 159-7(15), public authorities, as defined in G.S. 159-7(10), local school administrative units, and community colleges may request approval from the chair of the Local Government Commission.

(2) All other public agencies may request approval from the State Director of the Budget.

Approval of continuation of contracts under this subsection shall be given for the minimum period necessary to protect the public health or welfare.

#### **§ 14-234.1. Misuse of confidential information.**

(a) It is unlawful for any officer or employee of the State or an officer or an employee of any of its political subdivisions, in contemplation of official action by himself or by a governmental unit with which he is associated, or in reliance on information which was made known to him in his official capacity and which has not been made public, to commit any of the following acts:

(1) Acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or official action; or

(2) Intentionally aid another to do any of the above acts.

(b) Violation of this section is a Class 1 misdemeanor.

#### **§ 132-9. Access to records.**

(a) Any person who is denied access to public records for purposes of inspection and examination, or who is denied copies of public records, may apply to the appropriate division of the General Court of Justice for an order compelling disclosure or copying, and the court shall have jurisdiction to issue such orders. Actions brought pursuant to this section shall be set down for immediate hearing, and subsequent proceedings in such actions shall be accorded priority by the trial and appellate courts.

(b) In an action to compel disclosure of public records which have been withheld pursuant to the provisions of G.S. 132-6 concerning public records relating to the proposed expansion or location of particular businesses and industrial projects, the burden shall be on the custodian withholding the records to show that disclosure would frustrate the purpose of attracting that particular business or industrial project.

(c) In any action brought pursuant to this section in which a party successfully compels the disclosure of public records, the court shall allow the prevailing party to recover its reasonable attorneys' fees if attributed to those public records, unless the court finds the agency acted with substantial justification in denying access to the public records or the court finds circumstances that would make the award of attorneys' fees unjust.

Any attorneys' fees assessed against a public agency under this section shall be charged against the operating expenses of the agency; provided, however, that the court may order that all or any portion of any attorneys' fees so assessed be paid personally by any public employee or public official found by the court to have knowingly or intentionally committed, caused, permitted, suborned, or participated in a violation of this Article. No order against any public employee or public official shall issue in any case where the public employee or public official seeks the advice of an attorney and such advice is followed.

(d) If the court determines that an action brought pursuant to this section was filed in bad faith or was frivolous, the court shall assess a reasonable attorney's fee against the person or persons instituting the action and award it to the public agency as part of the costs.

**§ 133-32. Gifts and favors regulated.**

(a) It shall be unlawful for any contractor, subcontractor, or supplier who:

- (1) Has a contract with a governmental agency; or
- (2) Has performed under such a contract within the past year; or
- (3) Anticipates bidding on such a contract in the future

to make gifts or to give favors to any officer or employee of a governmental agency who is charged with the duty of:

- (1) Preparing plans, specifications, or estimates for public contract; or
- (2) Awarding or administering public contracts; or
- (3) Inspecting or supervising construction.

It shall also be unlawful for any officer or employee of a governmental agency who is charged with the duty of:

- (1) Preparing plans, specifications, or estimates for public contracts; or
- (2) Awarding or administering public contracts; or
- (3) Inspecting or supervising construction willfully to receive or accept any such gift or favor.

(b) A violation of subsection (a) shall be a Class 1 misdemeanor.

(c) Gifts or favors made unlawful by this section shall not be allowed as a deduction for North Carolina tax purposes by any contractor, subcontractor or supplier or officers or employees thereof.

(d) This section is not intended to prevent a gift a public servant would be permitted to accept under G.S. 138A-32, or the gift and receipt of honorariums for participating in meetings, advertising items or souvenirs of nominal value, or meals furnished at banquets. This section is not intended to prevent any contractor, subcontractor, or supplier from making donations to professional organizations to defray meeting expenses where governmental employees are members of such professional organizations, nor is it intended to prevent governmental employees who are members of

professional organizations from participation in all scheduled meeting functions available to all members of the professional organization attending the meeting. This section is also not intended to prohibit customary gifts or favors between employees or officers and their friends and relatives or the friends and relatives of their spouses, minor children, or members of their household where it is clear that it is that relationship rather than the business of the individual concerned which is the motivating factor for the gift or favor. However, all such gifts knowingly made or received are required to be reported by the donee to the agency head if the gifts are made by a contractor, subcontractor, or supplier doing business directly or indirectly with the governmental agency employing the recipient of such a gift.

**§ 143-318.9. Public policy.**

Whereas the public bodies that administer the legislative, policy-making, quasi-judicial, administrative, and advisory functions of North Carolina and its political subdivisions exist solely to conduct the people's business, it is the public policy of North Carolina that the hearings, deliberations, and actions of these bodies be conducted openly.

**§ 143-318.16. Injunctive relief against violations of Article.**

(a) The General Court of Justice has jurisdiction to enter mandatory or prohibitory injunctions to enjoin (i) threatened violations of this Article, (ii) the recurrence of past violations of this Article, or (iii) continuing violations of this Article. Any person may bring an action in the appropriate division of the General Court of Justice seeking such an injunction; and the plaintiff need not allege or prove special damage different from that suffered by the public at large. It is not a defense to such an action that there is an adequate remedy at law.

(b) Any injunction entered pursuant to this section shall describe the acts enjoined with reference to the violations of this Article that have been proved in the action.

(c) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 932, s. 3, effective October 1, 1986.

**§ 143-318.16A. Additional remedies for violations of Article.**

(a) Any person may institute a suit in the superior court requesting the entry of a judgment declaring that any action of a public body was taken, considered, discussed, or deliberated in violation of this Article. Upon such a finding, the court may declare any such action null and void. Any person may seek such a declaratory judgment, and the plaintiff need not allege or prove special damage different from that suffered by the public at large. The public body whose action the suit seeks to set aside shall be made a party. The court may order other persons be made parties if they have or claim any right, title, or interest that would be directly affected by a declaratory judgment voiding the action that the suit seeks to set aside.

(b) A suit seeking declaratory relief under this section must be commenced within 45 days following the initial disclosure of the action that the suit seeks to have declared null and void; provided, however, that any suit for declaratory judgment brought pursuant to this section that seeks to set aside a bond order or bond referendum shall be

commenced within the limitation periods prescribed by G.S. 159-59 and G.S. 159-62. If the challenged action is recorded in the minutes of the public body, its initial disclosure shall be deemed to have occurred on the date the minutes are first available for public inspection. If the challenged action is not recorded in the minutes of the public body, the date of its initial disclosure shall be determined by the court based on a finding as to when the plaintiff knew or should have known that the challenged action had been taken.

(c) In making the determination whether to declare the challenged action null and void, the court shall consider the following and any other relevant factors:

- (1) The extent to which the violation affected the substance of the challenged action;
- (2) The extent to which the violation thwarted or impaired access to meetings or proceedings that the public had a right to attend;
- (3) The extent to which the violation prevented or impaired public knowledge or understanding of the people's business;
- (4) Whether the violation was an isolated occurrence, or was a part of a continuing pattern of violations of this Article by the public body;
- (5) The extent to which persons relied upon the validity of the challenged action, and the effect on such persons of declaring the challenged action void;
- (6) Whether the violation was committed in bad faith for the purpose of evading or subverting the public policy embodied in this Article.

(d) A declaratory judgment pursuant to this section may be entered as an alternative to, or in combination with, an injunction entered pursuant to G.S. 143-318.16.

(e) The validity of any enacted law or joint resolution or passed simple resolution of either house of the General Assembly is not affected by this Article.

**§ 143-318.16B. Assessments and awards of attorneys' fees.**

When an action is brought pursuant to G.S. 143-318.16 or G.S. 143-318.16A, the court may make written findings specifying the prevailing party or parties, and may award the prevailing party or parties a reasonable attorney's fee, to be taxed against the losing party or parties as part of the costs. The court may order that all or any portion of any fee as assessed be paid personally by any individual member or members of the public body found by the court to have knowingly or intentionally committed the violation; provided, that no order against any individual member shall issue in any case where the public body or that individual member seeks the advice of an attorney, and such advice is followed.

**§ 143-318.16C. Accelerated hearing; priority.**

Actions brought pursuant to G.S. 143-318.16 or G.S. 143-318.16A shall be set down for immediate hearing, and subsequent proceedings in such actions shall be accorded priority by the trial and appellate courts.

**§ 143-318.17. Disruptions of official meetings.**

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

**§ 153A-44. Members excused from voting.**

The board may excuse a member from voting, but only upon questions involving the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 153A-340(g), or 153A-345(e1). For purposes of this section, the question of the compensation and allowances of members of the board does not involve a member's own financial interest or official conduct.

**§ 153A-340. Grant of power.**

(a) For the purpose of promoting health, safety, morals, or the general welfare, a county may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance....

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(g) A member of the board of county commissioners shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards providing advice to the board of county commissioners shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

**§ 153A-345. Board of adjustment.**

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(e1) A member of the board or any other body exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

**§ 160A-75. Voting.**

No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381(d), or 160A-388(e1). In all other cases, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.

An affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue, including the mayor's vote in case of an equal division, shall be required to adopt an ordinance, take any action having the effect of an ordinance, authorize or commit the expenditure of public funds, or make, ratify, or

authorize any contract on behalf of the city. In addition, no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council.

**§ 160A-381. Grant of power.**

(a) For the purpose of promoting health, safety, morals, or the general welfare of the community, any city may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance....

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(d) A city council member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards providing advice to the city council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

**§ 160A-388. Board of adjustment.**

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(e1) A member of the board or any other body exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.