



# Town of Carthage

Board of Commissioners  
Regular Meeting  
September 16, 2024 at 6:30 p.m.

McDonald Building  
207 McReynolds Street  
Carthage, NC 28327

## AGENDA

### **CALL TO ORDER**

**INVOCATION** – Mayor Pro Tem John McDonald

**PLEDGE OF ALLEGIANCE** – Mayor Jimmy Chalflinch

### **APPROVAL OF AGENDA**

Members of the board may remove, add, or rearrange items on the agenda prior to commencing the meeting. Motions/votes are not required to approve the agenda but there must be unanimous consent before proceeding.

### **CONSENT AGENDA**

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners to remove an item from the consent agenda and place it on the regular agenda.

- Minutes from Regular Meeting May 20, 2024 (pg. 1-10)
- Minutes from Regular Meeting on August 19, 2024 (pg. 11-20)

### **PUBLIC COMMENT SESSION**

Members of the public may use this time to address the Board of Commissioners with any presentations, questions, or concerns. All public comments made as part of a public hearing should be withheld until the public hearing has begun and the floor is given to public comments. No public comment will be made outside of this public comment session or a public hearing unless otherwise permitted by the Board of Commissioners. To request to speak outside of the public comment session or public hearing please raise your hand and wait to be recognized by the presiding officer. The mayor or presiding officer may place time limits on speakers prior to the start of the public comment session.

### **REPORTS**

Manager's Report (Emily Yopp, pg. 21-22)  
Departmental Reports (pg. 23-29)

### **PUBLIC HEARINGS**

- a. Board of Adjustment Quasi-Judicial Hearing – (#BOA.24.03) Special Use Permit hearing for 405 Monroe Street, Petitioner: Charles Steadwell (Jennifer Hunt, pg. 30-39)

- b. Public Hearing – McNeill Ridge Conditional Zoning Amendment Request (Ordinance #ORD.24.17),  
Petitioner: Matt Kirby (Jennifer Hunt, pg. 40-53)

#### **OLD BUSINESS**

- a. Presentation of the Needmore Community Sign Design Choice (Jennifer Hunt, pg. 54-59)

#### **NEW BUSINESS**

- a. Request for Damages for Headstone at Cross Hill Cemetery – Petitioner: Helen Oakley McDonald (Kim Gibson, pg. 60-65)
- b. Appeal of Utility Billing Charges (Emily Yopp/Kim Gibson, pg. 66-101)
- c. New Law Effective October 1, 2024 Regarding Pornography on Government Networks and Devices (Emily Yopp, pg. 102-105)
- d. Call for a Public Hearing – (Resolution #RES.24.19) Text Amendment for Wireless Telecommunication Facilities, Petitioner: Town of Carthage (Jennifer Hunt, pg. 106)

#### **FINAL COMMENTS**

The Board of Commissioners may take this opportunity to provide feedback, comments, commendations, and/or just general thoughts regarding various topics, issues, and ideas.

#### **CLOSED SESSION**

As allowed by NC General Statute § 143-318.11(a)(6)

- Discussion of personnel matters

#### **ADJOURNMENT**

# Town of Carthage

North Carolina

BOARD OF COMMISSIONERS



## MEETING AGENDA & BOARD MATERIALS

Regular Monthly Meeting

September 16, 2024

The McDonald Building  
207 McReynolds Street  
Carthage, NC 28327

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Town of Carthage,  
North Carolina

Board of Commissioners  
Regular Meeting

May 20, 2024

McDonald Building  
207 McReynolds Street  
Carthage, NC 28327

Regular Public Meeting





# Town of Carthage

Board of Commissioners

Regular Meeting

May 20, 2024

6:30 p.m.

JOINT MEETING WITH PLANNING BOARD  
AND THE BOARD OF COMMISSIONERS

## ROLL CALL

Present in-person were Mayor Jimmy Chalflinch, Mayor Pro Tem John McDonald, Commissioners Brent Tanner, and Dan Bonillo. Commissioners Al Barber and Anton Sadovnikov were excused.

Planning Board Members present, and in-person were Board Chair, Elizabeth Futrell, Victoria Riddle, Davis Norris, and Bill Smythe. Planning Board members Antoniette Kelly, Dena DeLucia, and Ian Lumgair were absent.

## CALL TO ORDER

Mayor Chalflinch called the meeting to order at 6:31 p.m.

## INVOCATION

Mayor Pro Tem McDonald led the room in prayer.

## PLEDGE OF ALLEGIANCE

Mayor Chalflinch gave the pledge.

## APPROVAL OF AGENDA

### **MOTION**

***Mayor Pro-Tem McDonald motioned to approve the agenda as written and presented. The motion was seconded by Commissioner Tanner. All ayes, motion passed 3-0.***

## CONSENT AGENDA

### **MOTION**

***Commissioner Bonillo motioned to approve the Consent Agenda containing Budget Amendment #12—Retired Firefighter Death Benefit; Budget Amendment #13—Receive Proceeds from Sale of Surplus Equipment; Budget Amendments #14 and #15 Receive and Allocate the Extra Revenues from System Development Fees; and Budget Transfers A & B—To transfer System Development Fee revenues from the Water and Sewer Fund to our Water & Sewer Capital Reserve Fund as directed. The motion was seconded by Commissioner Tanner. All ayes, motion passed 3-0.***

## PUBLIC COMMENT

The floor was opened up for public comment, and Ms. Cheryl Degraffenreid of Old Glendon Road discussed her concern over the intersection of Old Glendon Road and McReynolds Street/NC 24-27 Hwy. There is a tree blocking the view of oncoming traffic pulling out onto McReynolds Street. Ms. Degraffenreid also requested a

stoplight at that same intersection, expressing the overall safety concern of traffic speeding through that area and the limited visibility.

Public Services Director, Allen Smith assured Ms. Degraffenried that the tree would be managed as soon as possible and thanked her for bringing the issue to the attention of the Town. Town Manager, Emily Yopp explained that Town Staff would make the request of the NC Department of Transportation for the stoplight, but, unfortunately, as that is a state-maintained road, there is not much else the Town can do.

## MANAGER'S REPORT

Town Manager, Emily Yopp, gave the Manager's Report which is and does become a part of these minutes.

### 1. New Town Hall

The staff took a few hours on Professional Development Day last week to tour the new Town Hall at 208 Monroe Street and get a feel for the space and begin making a list of repairs and renovations that will be needed to make the building ready for use. Staff will compile the list of items and bring it to the Board for approval before publishing it for Requests for Proposals. The Board will be engaged in this process from beginning to end.

### 2. Buggy Festival Recap

The 2024 Buggy Festival was a success and the weather perfect. We haven't seen a crowd of that size in quite some time. The variety of vendors, food options and attractions was robust and received many compliments from attendees. The Buggy Factory was also open and serving quick-take pizzas and drinks while showcasing all of the work that has gone into the building. The transformation of the "Buggy Building" is really quite stunning and it is expect Carthage will truly enjoy having this wonderful establishment as part of the community.

### 3. SB 166 and Summary of May 13<sup>th</sup> Meeting

As the Board is aware, Senate Bill 166 was initially a bill directed at regulations on backflow prevention devices and programs and totaled about two pages at its initial introduction. On May 1<sup>st</sup>, SB 166 had grown into a 70+ page bill with numerous General Statute changes regarding development to include:

- **RESIDENTIAL PLAN REVIEW FEE REIMBURSEMENT** – where a local government that does not review a plan within 20 business days shall be required to refund 10% of the total permit application fee.
- **CLARIFY PUBLIC SAFETY ISSUES FOR WITHHOLDING BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY** – Where the installation, placement, repair or replacement of landscaping and street lighting that may be required by the approval of the project do not have to be in place for the developer to receive the Certificate of Occupancy (CO). If a developer were to fail to install the landscaping, then the local government would have to rely on penalties and other code enforcement measures to motivate the developer to do this work as opposed to withholding the CO until finished.
- **LOCAL GOVERNMENT CURB AND GUTTER DESIGN STANDARDS** – Where a local government can no longer limit the style of curb and gutter within a subdivision so long as the design meets the standards adopted by the NC Department of Transportation's standards.

- **AND, LAST BUT NOT LEAST, THE COMPLETE REMOVAL OF ALL EXTRATERRITORIAL BOUNDARIES (ETJ) FOR MUNICIPALITIES WITHIN MOORE COUNTY ONLY.**

Town staff, like many of the other municipalities in Moore County, were surprised by the bill and questioned how such a bill came about and the purpose of it. On May 13<sup>th</sup>, two representatives from each municipality were invited to a closed meeting with Senator Tom McInnis and Representatives Neal Jackson and Ben Moss. Mayor Chalflinch and Town Manager Emily Yopp attended on behalf of Carthage and were pleased to have had an opportunity to speak with fellow neighbors and legislators about the ETJ and efforts that Carthage has been engaging in to ensure fair development standards and productive communication between the Town and the ETJ residents.

SB 166 has since been placed on “hold” for more research before being brought back to the General Assembly floor for voting in a year. Mrs. Yopp is happy to address any questions or comments the Board of Commissioners or members of the public may have about SB 166, the purpose of an ETJ, development ordinances, procedures for equal representation, etc.?

#### **MOTION**

***Commissioner Tanner made a motion to go out of the Regular Meeting and into the Public Hearings. Commissioner Bonillo seconded the motion which passed unanimously with a vote of 3-0.***

#### **PUBLIC HEARINGS**

- a. *Public Hearing – Joint Public Hearing of the Board of Commissioners and Planning Board for the Review and Adoption of a Downtown Revitalization and Parking Corridor Study Plan*

The Town of Carthage embarked on a study for the Downtown Carthage community to assess the true nature of the area and study the access via walking, driving, or biking. The Town of Carthage also sought to assess the true nature of parking for cars that is available and occupied. Although there is a perceived lack of parking options available, the data collected over the last six months shows otherwise. Parking downtown has over 350 spaces and is never utilized over 75% even during peak hours between 10 A.M. and 2 P.M. on Monday through Friday, during court hours.

The Planning Board and Board of Commissioners viewed the presented Parking Corridor Study (***see EXHIBIT A***) to consider the decision for which option for parking around the circle is most sufficient for the Downtown Revitalization Plan.

The three options for parking around the circle where the old historic courthouse is located are included in (***EXHIBIT B***). The three options include: no parking around the circle, hybrid (or limited) parking around the circle, and full parking around the circle. The hybrid parking option provides 13 parking spaces, with three handicap spaces. The full parking option provides 23 parking spaces, with three handicap spaces as well. The no parking option provides a pedestrian stage area and many outdoor pavilion areas for people to possibly sit or relax in the downtown area. The Planning Board and Board of Commissioners were asked to also consider which streetscape design to move forward with in the Downtown Revitalization Plan as presented in (***EXHIBIT B***).

The consultant, Kimley Horn, presented the Parking Corridor Study and the data that was collected. Koontz Jones Design presented the Downtown Revitalization Study options that were created using two community input meetings from November 2023 and March 2024. Both community input meetings were joint meetings with both consultants present to gather as much information and feedback from the community members as possible.

Mayor Chalflinch opened the floor for public comment and there was much discussion and feedback from the community regarding the parking options. Most of the comments were from Downtown Business owners concerned about their patrons having easy access to their businesses. Parking options for the elderly and disabled was also of particular concern. Many questions were brought along with varying ideas to be considered.

After a lengthy discussion, Mayor Chalflinch closed the Public Comment session and the two Boards deliberated. Taking in the present public audience and the results from the two prior Public Input Meetings conducted during the study period, the opinions varied greatly. Both Boards wanted to conduct more input sessions, a poll, or survey to garner final thoughts from the public and asked Town Staff to facilitate this request prior to the next meeting.

**MOTION**

***With no real consensus, Planning Board member David Norris made a motion to TABLE the Public Hearing for the Downtown Revitalization Plan & Parking Corridor decision until the next regular meeting scheduled for Monday, June 17, 2024 at 6:30 pm in the McDonald Building located at 207 McReynolds Street. The motion was seconded by Planning Board Member Bill Smythe and passed unanimously with a vote of 4-0.***

**MOTION**

***After considerable deliberation, Commissioner Bonillo made a motion to TABLE the Public Hearing for the Downtown Revitalization Plan & Parking Corridor decision until the next regular meeting scheduled for Monday, June 17, 2024 at 6:30 pm in the McDonald Building located at 207 McReynolds Street. The motion was seconded by Commissioner Tanner and passed unanimously with a vote of 3-0.***

- b. *Public Hearing – Request to Rezone 209 Dowd Street from CBD to R-10 Zoning (Ordinance #ORD.24.09; Petitioner Cheryl Williams*

The applicant and owner, Cheryl Williams, requested to rezone her property located at 209 Dowd Street, from Central Business District (CBD) to Residential (R-10). She was previously zoned residential and would like to use this property as a single-family home. Currently single-family home use is not permitted in the CBD. She does not wish to operate as a business any longer but be able to live in the home. This property is surrounded by R-10 zoning on the west and CBD on the east. It is aligned with the surrounding zoning districts. It is located off Dowd Street just south of E Saunders Street past Sheriff Carter Way.

Mayor Chalflinch opened the floor for Public Comment, of which, no one volunteered to speak on this topic and the floor was closed to the public.

**MOTION**

***As this request was straightforward and in keeping with the current area zoning, Commissioner Bonillo made a motion that the rezoning of 209 Dowd Street meets the standards of the 2040 Land Use Plan by maintaining regulations that are consistent with the Town’s vision. The motion was seconded by Mayor Pro Tem McDonald and passed unanimously with a vote of 3-0.***

***Commissioner Bonillo made a motion to approve the rezoning request for 209 Dowd Street as written and presented. The motion was seconded by Commissioner Tanner and passed unanimously with a vote of 3-0.***

- c. *Public Hearing – Request to Rezone 218 Westview Road from R-20 to HCD-CZ (Ordinance #ORD.24.08); Petitioner Michael Eder*

The applicant, Michael Eder, requested conditional zoning to allow for his home business to be appropriately zoned, behind his residential home. He is requesting conditional zoning to approve access to the rear of his lot using an easement, verbal agreement, between himself and the property owner of PARID 00000944701, which is currently zoned HCD. He is also requesting the ability to use the road, with the easement, as a gravel path and not be required to pave it. Currently his location is at 218 Westview Road off Vass-Carthage Road. Please view **EXHIBIT C** for a site map showing where the property is located and **EXHIBIT D** for the proposed access to the rear of his property.

Please view **EXHIBIT E** for his minor subdivision request. Mr. Eder is requesting to subdivide 1.03 acres to be used for HCD-CZ and 1.95 acres for his residential home, to be kept in the R-20 zoning district. If the Conditional Zoning request is approved, then the Minor Subdivision plat will be approved. The Town Planner, Jennifer Hunt, requested the applicant wait until after the Conditional Zoning request to approve the Minor Subdivision map, because each minor subdivision must state the correct zoning district on it.

Mayor Chalflinch opened the floor for public comment and there was much discussion and feedback from the community. There were many citizens present in favor of allowing Mr. Eder’s request to go through. Roland Gilliam of McReynolds Street voice his favorable opinion stating that the business is an established business that provides much-needed service to other local businesses. Kyle Walker of Niagara Carthage Road concurred that he was a conscientious business owner that provided a valuable service to the Town.

Christina La Forge, neighbor to Mr. Eder on Westview Road expressed her concern over the large trucks that come down Westview Road on a regular basis to access Mr. Eder’s business. She expressed her concern over the damage to the road from the weight of the vehicles, the speed with which the trucks travel in a neighborhood with children playing. She expressed her willingness to have the business remain as long as Westview Road is closed to all large trucks patronizing his business.

Town Clerk, Kim Gibson read an email received from Kim Fields, also a neighbor on Westview for the record (*see EXHIBIT F*). The email expressed Ms. Fields concerns about the damages to the road and the speed of the truck traffic on the road.

After a lengthy discussion, Mayor Chalfinch closed the Public Comment session and the Board deliberated. They questioned Mr. Eder about a new address for the business entrance off US 15 501 Hwy. He stated that he would inquire about that from Moore County GIS. Ms. Victoria Riddle, property owner of the proposed easement property (PARID 00000944701) stated that she would agree to a verbal easement agreement only at this time as she did not know what her heirs may wish to do in the future. She did state that she had no intention of revoking the easement rights from Mr. Eder.

**MOTION**

***After much discussion and negotiation with Mr. Eder, Commissioner Bonillo made a motion that the conditional zoning is consistent with the adopted Land Use Plan by allowing a more safe environment for the residential side of the property while adding and additional opportunity to grow the commercial side. The motion was seconded by Mayor Pro Tem John McDonald and passed unanimously with a vote of 3-0.***

**MOTION**

***Commissioner Tanner made a motion to approve the Conditional Zoning Request (CZ-02-24) as presented with the addition of the following modifications:***

- a. The applicant has 90 days to complete the highway access.***
- b. After that access is completed, there will be NO access from Westview Road.***
- c. There is to be a Fence erected on the Westview Road side to prevent access to the business from that side.***

***The motion was seconded by Commissioner Bonillo and passed unanimously with a vote of 3-0.***

- d. *Public Hearing – Request to Stagger Terms for the newly appointed Historic Preservation Commission Volunteers*

The Board requested that staff create an amendment for a seven-member Historic Preservation Commission to stagger the terms for the members. The following language is the current language for the terms:

“Initially appointed terms shall be staggered so that one member serves a one-year term, two members serve a two-year term, and two members serve a three-year term. If more than five commission members are to be appointed, they shall be appointed to four (4) year terms. Thereafter, Board of Commissioners shall appoint members to terms of four (4) year terms, with not more than two (2) terms expiring annually.”

Staff proposes the following amendment to the terms of a seven-member Historic Preservation Commission.

“For a five-member board, initially appointed terms shall be staggered so that one member serves a one-year term, two members serve a two-year term, and two members serve a three-year term. For a seven-member board, initially appointed terms shall be staggered so that two members serve a one-year term, two members serve a two-year term, two members serve a three-year term, and one member serves a four-year term. Thereafter, the Board of Commissioners shall appoint members to terms of four (4) years, with not more than two (2) terms expiring annually.”

Mayor Chalfinch opened the floor for Public Comment, of which, no one volunteered to speak on this topic and the floor was closed to the public.

Ms. Yopp asked the Board to please provide guidance on the setting of term limits for the newly appointed Commission members. Commissioner Bonillo suggested the following random assignment for the term expirations of the current volunteer member appointments:

- 1-Year Term Limit – Greg Pilson and Alyssa Kennedy
- 2-Year Term Limit – Ashley Coates and Lisa Schickedanz
- 3-Year Term Limit – Janet Gurley Gardner and Jill Lumgair
- 4-Year Term Limit – Ariel Matthews

**MOTION**

***As this request was straightforward and there was no comment from the public, Commissioner Tanner made a motion to approve the Text Amendment of Sec. 100.35 (2) to the proposed language as written and presented with the term limits assigned as above. The motion was seconded by Mayor Pro Tem McDonald and passed unanimously with a vote of 3-0.***

**MOTION**

***With no other Public Hearings on the agenda, Commissioner Bonillo made a motion to go out of the Public Hearing and back into the Regular Meeting. Commissioner Tanner seconded the motion which passed unanimously with a vote of 3-0.***

**NEW BUSINESS**

- a. *Rotary Club Request for Road Closure for Independence Day Parade*

Each year requests for road closures from the NC Department of Transportation (DOT) for the 4th of July Parade must be made. The DOT requires approval from the Board of Commissioners. The closures should be the same as in years past.

Mr. David Norris, Present of the Rotary Club made the request and expressed his desire to extend the parade through the Historic District in future events. Commissioner Bonillo also inquired about allowing smaller vehicles, such as golf carts, to be allowed in future events.

**MOTION**

**Commissioner Tanner made a motion to approve the request from the NC DOT for closure of all necessary roads from 9:00 am until 3:30 pm for the July 4<sup>th</sup> Parade to be held on Thursday, July 4, 2024. Commissioner Bonillo seconded the motion which passed unanimously with a vote of 3-0.**

*b. Recommendation for Award of PVC Pipe – Phase 2 Sewer Project*

Three bids for the PVC pipe procurement for the Phase 2 Sewer Interconnection Capacity Improvements for the Town of Carthage were received and opened on Tuesday, April 23, 2024 at the Carthage Town Hall. LKC has reviewed the bids and found all to be in compliance with the contract documents. Their recommendation is presented for your consideration. **(Please see EXHIBIT G)**

**MOTION**

**With little discussion, Commissioner Bonillo made a motion to accept the recommendation of the award for PVC procurement to go to the lowest bidder, Consolidated Pipe & Supply Company, Inc. as presented by LKC Engineering. Commissioner Tanner seconded the motion which passed unanimously with a vote of 3-0.**

*c. Request for Performance Agreement Extension by Grosvenor Land, LLC for Carriage Hill Subdivision*

The Town and Developer, Gosvenor Land, LLC, previously entered into an Agreement to Provide Cash Performance Guarantee for the completion of Carriage Hill Subdivision dated 18th of April, 2022 with respect to the Developer providing the Town a sufficient performance guarantee pursuant to N.C. Gen. Stat. § 160D-804.1 to ensure the completion of required improvements to the Carriage Hill subdivision. The Developer anticipates that it will not be able to complete all of the required improvements and obligations under the Agreement by the expiration date of the amended agreement, and, has requested an extension through May 20, 2025 to complete the remaining improvements.

**MOTION**

**With little discussion, Commissioner Bonillo made a motion to approve the Carriage Hill Bond Extension Agreement through May 20, 2025 as written and presented. The motion was seconded by Mayor Pro Tem McDonald and with a vote of 3-0, the motion passed unanimously.**

*d. Resolution (RES.24.11) to Accept Town Maintained Streets*

The builder of Southbury Subdivision has completed Little Rock Court, Apricot Lane, Southbury Lane, Rex Court and Robert Place according to Town of Carthage standards. The Public Works Director and Planner recommend that the Board approve accepting the streets to be maintained by the Town.

**MOTION**

**After some questions and clarification from Public Works Director, Allen Smith, Commissioner Bonillo made a motion to adopt the Resolution accepting streets Little Rock Court, Apricot Lane, and Southbury Lane as shown on the final subdivision plat of Southbury Phase 1 and Rex Court and Robert Place as shown on the final subdivision plat of Southbury Phase 2 as Town maintained streets. The motion was seconded by Commissioner Tanner. All ayes, the motion carried 3-0.**



e. *Request to Approve Audit Contract for the Town for FY 2022-2023*

North Carolina General Statute 159-34 and North Carolina General Statute 115C-447 require all local governments, public authorities, and schools to have their accounts audited annually and to submit the audit report to the Secretary of the Local Government Commission. The audit should be completed by October 31st each year. We have not completed the FY 2022-23 audit because of increasing workloads and prior understaffing in the Finance Department. Staff is requesting approval of amended audit contract (LGC-205) submitted by S. Preston Douglas & Associates for their services for the Fiscal Year Ending June 30, 2023. **(see EXHIBIT H)**

**MOTION**

***After brief discussion, Commissioner Tanner made a motion to approve the Contract to Audit Accounts for the Town of Carthage for the Fiscal Year ending June 30, 2023 to be completed by S. Preston Douglas & Associates. The motion was seconded by Commissioner Bonillo. With a vote of 3-0, the motion passed unanimously.***

**ADJOURNMENT**

**MOTION**

***With no other business, Commissioner Tanner motioned to adjourn the regular meeting. Commissioner Bonillo seconded the motion. All ayes, motion carried 4-0. The regular meeting was adjourned at 9:57 p.m.***

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Town of Carthage,  
North Carolina

Board of Commissioners

Regular Meeting

August 19, 2024

McDonald Building  
207 McReynolds Street  
Carthage, NC 28327

Regular Public Meeting



# Town of Carthage

Board of Commissioners

Regular Meeting

August 19, 2024

6:30 p.m.

## ROLL CALL

Present in-person were Mayor Jimmy Chalflinch, Mayor Pro Tem John McDonald and Commissioners Al Barber. Commissioners Dan Bonillo and Anton Sadovnikov were excused.

## CALL TO ORDER

Mayor Chalflinch called the meeting to order at 6:30 p.m.

## INVOCATION

Commissioner Al Barber led the room in prayer.

## PLEDGE OF ALLEGIANCE

Mayor Pro Tem McDonald gave the pledge.

## APPROVAL OF AGENDA

### **MOTION**

***Commissioner Tanner motioned to approve the agenda as written and presented with the addition of adding a Call for Public Hearing for McNeill Ridge Conditional Zoning Amendment to New Business and also adding a Closed Session to protect attorney-client privilege to the end of the meeting. The motion was seconded by Mayor Pro Tem McDonald. All ayes, motion passed 3-0.***

## CONSENT AGENDA

***Mayor Pro Tem McDonald made a motion to approve consent agenda items consisting of the minutes from the Budget Retreat on March 9, 2024, Minutes from the Special Meeting on June 26, 2024, Amending the Fee Schedule to Include Increased Pay Rate for Off-Duty Police Officers, Budget Amendment #1, Allocating Insurance Proceeds for Speed Trailer, and Budget Amendments #2-5, allocating Fund Balance for Pay Plan Adjustments. Commissioner Tanner seconded the motion and with a vote of 3-0, the motion passed.***

## PUBLIC COMMENT

The floor was opened up for public comment, and several community members signed up to discuss the Historic Preservations Commission (HPC). The citizens all spoke separately, but provided similar outlooks in opposition to the potential standards that would be set governing the proposed historic district. Their primary concerns were increased costs, loss of homeowner rights, and lack of communication for the citizens in the district from the HPC. Staff and Board Members tried to allay the concerns of the public stating that no standards had been set and that the communication with the community would begin once the Commission

had adopted their Rules of Procedure which would allow for guidelines in how best to provide that communication to the public. Those citizens that addressed the Board and the public were as follows:

- Mr. Travis McNeill of McReynolds Street
- Mrs. Betsy Pilson of McReynolds Street
- Mrs. Priscilla Riley of Pinecrest Street
- Mrs. Patty Kempton of McReynolds Street

After a very lengthy public comment session, Mayor Chalfinch closed the floor to Public Comment and continued on with the official meeting agenda.

### **SPECIAL SPEAKER / PRESENTATION**

Karyl Fuller, the Principal Planner with Central Pines Regional Council briefly discussed the Central Pines Rural Planning Organization (RPO-“<https://centralpinesrpo.org>”) and the work they do. She mentioned the current Statewide Transportation Improvement Program (STIP) projects and briefly discussed Prioritization. The Carthage Bypass is not in the current STIP or included in Prioritization 7.0. The first step to get it back on the STIP projects and to submit it to Prioritization 8.0 sometime in late Spring/early Summer 2025, if that is what the BOC would like to do. **(See EXHIBIT A for presentation)**

### **PROCLAMATION FOR A DAY OF PRAYER & UNITY**

In an email request sent by Mr. Anthony Marzilli, he made the following request:

“I would like to recommend the Town of Carthage before Nov 2024 promote a public day of Fasting and Prayer for our nation. It is no secret that our nation and the world are in uncertain and dangerous times. Therefore, what better way to seek justice and peace than an appeal to Heaven and Almighty God.

Throughout our nation’s history mayors, governors, and even Presidents of the United States have called for national days of prayer and fasting. The Continental Congress during the Revolutionary War called for such days 8 separate times (see the Journals of the American Congress from 1774 to 1788).

The event can last only 1 hour or less around the courthouse or a local park, promoted publicly by the town on all social media accounts.

No one religion or political party will be openly promoted and the goal of the event is a unified American town comes together in prayer and fasting for a day to pray for our nation.”

**(See EXHIBIT B for Proclamation)**

### **MOTION**

***With little discussion Commissioner Barber made a motion to approve the proclamation calling for a local Day of Prayer and Unity to be held on Saturday, October 19, 2024 at Nancy Kiser Park beginning at 11:00 am and lasting for one hour. Commissioner Tanner seconded the motion which passed unanimously with a vote of 3-0.***

## MANAGER'S REPORT

Town Manager, Emily Yopp, gave the Manager's Report which is and does become a part of these minutes.

- Grants Administration Assistance Secured

As a member of the Central Pines Council of Government's Grant Assistance Program, we have secured assistance for three of our priority grants to ensure that Carthage is able to successfully complete each project on time and with all reporting requirements satisfied. For both downtown revitalization grants and the Town Hall renovation grant, Central Pines will essentially be providing the Town with additional staff, one grant manager and one finance professional, to supplement the Town's small full-time staff and help alleviate some of the workload associated with bidding, procurement, reporting, etc. This service will be funded using the administration costs set aside in the grants themselves and will provide the experience and staffing supplementation necessary to complete such large projects.

- Finalizing Downtown Plans

Now that the Board has chosen a plan to guide the downtown revitalization projects to come, Koontz Jones Design is finalizing all the details for each phase of the plan and the order in which they need to be completed. This final plan is expected to be ready for the Board's consideration around September. One important first step is to conduct a survey of the downtown revitalization planning area. This process must follow the rules of the Mini Brooks Act and will be discussed with the Town's Grants Administration team as described above.

- Needmore Sign Project

Town staff recently worked with residents of the Needmore community to host an outdoor voting booth for selecting a design for the new gateway sign to be installed on the corner of Needmore and Old Glendon roads. Over 30 responses were received, and a favorite design was chosen. Planner Jennifer Hunt is now working with the sign professional to finalize the details of the sign before bringing the sign to the Board for final approval and authorization to proceed with the project. More details will be forthcoming.

- UDO Re-Write Entering Phase 2

The Town has completed the first year of working on a new Unified Development Ordinance to guide decisions on land use and development decisions for many years to come and is now entering phase 2 of the process. A focus group was recently conducted with local citizens, business owners, builders, engineers, surveyors and other individuals from all walks of life. This session was very helpful in understanding how the development community as well as the everyday citizen engages with the Town's UDO and how it hinders or helps the community to grow in a sustainable manner. In this 2nd year, there are at least two more focus group sessions that will take place throughout this process, and sections of the UDO will also begin to go through staff and legal review before coming to the Planning Board and Board of Commissioners, via public hearings, for edits and/or approvals. It will be an exciting time working with our community members, elected officials, and professional staff to create the tools necessary to ensure Carthage is prepared for the growth the future will bring.

- New Staff Hired

The positions for the part-time Administrative Assistant and Public Works positions have been filled. Town Staff will be welcoming Jacob McDaniel to the Public Works team on August 19th and Donnalee Damon to the Administrative team on September 3rd. Staff looks forward to working with the newest team members and continuing to provide the highest level of public service to the community.

**MOTION**

***Commissioner Tanner made a motion to go out of the Regular Meeting and into the Public Hearings. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 3-0.***

**PUBLIC HEARINGS**

- Public Hearing – Ordinance # ORD.24.15 – Conditional Zoning Request (CZ-04-24) at 211 N McNeill Street by James Stermer*

The applicant, James Stermer, is requesting Conditional Zoning to allow for two duplexes on the property where the old Carthage swimming pool was located. This land is approximately 1.02 acres and is permitted for one duplex. The conditional zoning request is for two duplexes. This parcel 00004545 is in the R-10 “Residential” zoning district and is located at 211 N McNeill Street. Please view Attachment 1 for his proposed site plan.

Mayor Chalflinch opened the floor for Public Comment. Mrs. Bonnie Brown and her daughter, along with Ms. Annette McGraw, both of N. McNeill Street addressed the Board and the applicant, Mr. Stermer. They were concerned about the area being built over the old swimming pool and the potential for sink holes. They were assured that the strictest guidelines from the state would be adhered to with regard to backfilling the property.

With no further public comment, Mayor Chalflinch closed the Public Hearing and allowed for deliberations among the Board.

Commissioner Tanner expressed his concern that the proposed buildings were so close together utilizing only approximately half of the property. He felt that the proposed site plan would be better served by spreading the buildings out over the entire property. The applicant, Mr. Stermer explained that the back side of the property slopes off rather drastically and it would be difficult to build that area up to allow for the building to go there.

**MOTION 1**

***After quite a bit of discussion to include Commissioner Tanner’s concerns and the concerns brought by the public comments, Commissioner Barber made a motion to approve the conditional zoning’s consistency with the Land Use Plan based on Goal 2, Coordinated, intentional, and well-planned growth and development and Goal #11: Regulations that are consistent with the Town’s vision of***

*encouraging growth in the downtown area. Commissioner McDonald seconded the motion which passed with a split vote of 2-1, with Commissioner Tanner voting against the motion for the previously stated reasons.*

**MOTION 2**

*Commissioner Barber then made a motion to approve Conditional Zoning Request (CA-04-24) as written and presented. Commissioner McDonald seconded the motion which passed with a split vote of 2-1, with Commissioner Tanner once again voting against the motion for the previously stated reasons.*

*b. Public Hearing -- Chapter 97: Mural Regulations – Proposed Update*

Town Staff proposed an update to the existing Mural Regulations to include a precise permitting and approval process. Staff have had multiple meetings with the Mural Committee to ensure that the Ordinance was written to state an appropriate process for not only the Mural Committee, but also others that may want to apply for a public art permit.

Mayor Chalflinch opened the floor for Public Comment. There were no citizens that chose to offer Public Comment on this hearing. The floor was closed to the public and Mayor Chalflinch gave the floor to the Board for deliberations.

**MOTION**

*With no comment from the Public and the straightforward changes presented, there was little discussion on this topic. Mayor Pro Tem McDonald made a motion to approve the Chapter 97: Mural Regulations Ordinance update to the proposed language as written and presented. Commissioner Tanner seconded the motion which passed unanimously with a vote of 3-0.*

**MOTION**

*With Public Hearings on the agenda, Mayor Pro Tem McDonald made a motion to go out of the Public Hearings and into the Regular Meetings. Commissioner Tanner seconded the motion which passed unanimously with a vote of 3-0.*

**NEW BUSINESS**

*a. Approval of Agreement Extension with NC Museum of Transportation for Loan of Tyson-Jones Buggy*

It was recently brought to the attention of Town Manager, Emily Yopp, that the loan of the Town of Carthage's Tyson Jones Buggy to the North Carolina Transportation Museum has expired. The Museum has enjoyed having it on display and have requested to extend the loan for another two years. The Museum's Master of Fine Arts Insurance covers the buggy therefore no additional insurance is needed.

**MOTION**

***With little discussion, Commissioner Tanner made a motion to approve the 2-year extension agreement with the NC Transportation Museum for the display of one Tyson and Jones buggy and to authorize the Town Manager to execute the agreement as presented. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 3-0.***

*b. Request to Fund Pickleball Court Conversion project*

Mayor Chalflinch and town staff were recently approached by Moore County Parks and Rec Director, Chris Wiley, and Moore County Parks and Rec Board Member, Sue Callaway, with an interest in providing more pickleball courts in Moore County. After initial conversations it was determined that utilizing the tennis court at Nancy Kiser Park and converting it into a split court featuring pickleball courts on one side and a tennis court on the other would be ideal to allow the most functionality of the space for both sports. Sue Callaway led the effort to solicit estimates on the cost to do the conversion and based on the preliminary quotes submitted we anticipate the cost to come in between \$40,000-\$50,000.

Funding for this project would be provided by utilizing the recreation payments in lieu that were paid to the Town by the developer of the Carriage Place Townhomes subdivision. This project's conditional zoning approval required the developer to pay \$500/unit in place of building recreational amenities inside the subdivision itself. With 120 units approved, this amounted to \$60,000 in recreation payments which can be used to fund projects like this one. In addition, Moore County Parks and Rec has offered to help offset additional cost by paying for the restriping of the court.

Anticipated work to be done includes:

- Digging and setting concrete foundations for four pickleball net posts.
- Cleaning/scraping of all loose material on the court such as dirt, grass, other foreign debris
- Pressure washing and burning all remaining weeds growing in cracks.
- Patch depressions and cracks in the court and overall resurfacing of court.
- Topcoat resurfaced court with a color coat.
- Paint lines for pickleball and tennis courts.
- Install all nets and fencing to separate courts and prevent balls rolling onto other courts.
- All work comes with a 1-year guarantee.

Staff recommends that the Board consider allocating the entire \$60,000 in recreational payments in lieu to provide a contingency for any unforeseen overages.

**MOTION**

***Commissioner Tanner made a motion to approve this project and to authorize a budget amendment to use up to \$60,000 of funding in the form of recreation payments in lieu made by the Carriage Place Townhomes development and that the Town Manager is as written and presented. Commissioner Bonillo seconded the motion which passed unanimously with a vote of 4-0.***

*c. Request for Noise Ordinance Amendment to Chapter 93: Nuisance*



At the previous Board of Commissioners meeting held on July 17, 2024, there was a public comment regarding noise violations that were taking place on state highways and town roads. Town Staff have been working on a more enforceable ordinance to address these concerns. The update proposed include the following Section from Chapter 93: Nuisance:

**SECTION 93.02 PREVENTION AND ABATEMENT OF PUBLIC NUISANCE**

(11) Unacceptable noise levels as determined by the Police Department upon inspection. **UNACCEPTABLE NOISE LEVELS** are continuous noises that interfere with the public's ability to sleep, converse or conduct business.

- (A) **CONSTRUCTION.** Preferred construction hours are from sunrise to sunset.
- (B) **MUSIC.** Any excessive volume of music, as determined by the Police Department upon inspection, that interferes with the public's right to the peaceful enjoyment of their property or the ability to conduct business or other such activities. Cars driving within the Town Limits on both town roads and state highways, are also subject to this noise ordinance.
- (C) **LOUD EXHAUST.** Car exhaust, or other appurtenances thereof, that produce an unacceptable noise level while driving anywhere within the Town Limits on both town roads and state highways are subject to this noise ordinance.
- (D) **GENERAL.** Any other noise that interferes with the public's quality of peace shall be determined by the Police Department upon inspection.

**MOTION**

**After brief deliberation, Commissioner Barber made a motion to approve the update to the Town of Carthage Code of Ordinances, Chapter 93.02: Prevention and Abatement of Public Nuisance Ordinance as written and presented. The motion was seconded by Commissioner Tanner and with a vote of 3-0, the motion passed unanimously.**

*d. Discussion Regarding Planned Trail in Southbury Phase 4*

Commissioner Sadovnikov requested a discussion with the Board regarding the planned trail extending from Southbury Phase 4 and connecting to E. Saunders Street.

**MOTION**

**With Commissioner Sadovnikov being excused from the meeting, Mayor Pro Tem McDonald made a motion to TABLE this discussion until Commissioner Sadovnikov is available. The motion was seconded by Commissioner Tanner. All ayes, the motion carried 3-0.**

*e. Decision Regarding Four (4) Utility Accounts with Large Amounts Past Due*

Four (4) utility accounts have been found to owe considerable water and sewer usage fees beginning in 2020-2021. Based on the findings described, the administrative staff is requesting the Board's consideration and a decision on how to proceed with billing these accounts. The Board is asked to consider each case separately and direct staff on how they wish the amounts owed to be dealt with.

In May 2024, it came to the attention of the administrative staff that one of our utility accounts had been using water regularly but was only being charged the base rate amount for water and sewer usage totaling \$48.74 each month. Steady base rate only charges are typical in certain cases such as when a homeowner is away for long periods of time and is not using water. In this case the homeowner had been living in their home for 2 years and had been using their water and sewer daily. Concerned that this may be indicative of an error in our billing system or meter reading system, this case prompted the staff to conduct a two-month long audit of approximately 1,600 utility accounts to identify any that were receiving only base rate charges (\$48.74) but that were using the service or any other issues. The findings of that audit and the accounts identified **may be found in EXHIBIT C**.

There was much discussion among the Board, to include the fact that the water was used by each account holder, the Town was responsible for paying the sewer treatment fees for usage of each account with no reimbursement from the account holders, and the fact that the issues were a joint responsibility of the account holders to be aware of the state of their accounts and the Town Staff being aware of the status of the customer accounts. With this in mind, the Board discussed the need for the customers to pay for the water and sewer that was used, but as the Town was also at fault for not finding the errors sooner, the Town would extend the allowable payment plan authorization period from six (6) months to up to a maximum of three (3) years to pay the back payments.

It was also discussed that this issue had been brought before the Board several years past with a large amount of unbilled consumption due. The precedent was set requiring the customer to pay for the past usage, but they also were given an extension period of three (3) years for repayment.

#### **MOTION**

**Commissioner Tanner made a motion to authorize Town Manager, Emily Yopp or Staff to allow up to three (3) years for each customer case presented to pay the back payments due to the Town. The motion was seconded by Commissioner Barber. All ayes, the motion carried 3-0.**

*f. Adopt Record Retention and Nondiscrimination Policies from Alana Keegan for Grant Projects*

The Town has a couple of projects that utilize the approved ARPA funding, to include the downtown revitalization projects and some of the utility improvement projects. Staff is requesting the Board approve the necessary Record Retention and Nondiscrimination Policies that have been provided from the Town's Grant Project Manager, Alana Keegan prior to the use of that ARPA funding for any grant projects the Town has been awarded funding for. **(See EXHIBIT D for policies)**

#### **MOTION**

**With little discussion, Commissioner Tanner made a motion to approve the recommended Policies for Grant Reporting as written and presented. The motion was seconded by Mayor Pro Tem McDonald. All ayes, the motion carried 3-0.**

*f. Call for a Public Hearing – (Resolution #RES.24.16) Special Use Permit hearing for 405 Monroe Street, Petitioner: Charles Steadwell*

The applicant and owner, Charles Steadwell is requesting a Special Use Permit for a small car lot located at 405 Monroe Street, parcel 00000357. This parcel is approximately half an acre in the B-2

“Central Business District Fringe” zoning district. This project is located at the corner of East Barrett Street and Monroe Street. “Motor Vehicle Sales” are a permitted use in this zoning jurisdiction.

Mr. Steadwell has been working with Kevin Lindsay, an engineer with Crawford Design Company, to design a small car lot. The applicant is requesting a Special Use Permit to ask for relief from building a sidewalk along East Barrett, because there is no curb and gutter there and he believes there is insufficient space on the lot to install a safe sidewalk. Also, Mr. Steadwell is requesting an exception to allow for crepe myrtles on Monroe Street to be counted as buffer bushes even though they are in the right of way.

**MOTION**

**Commissioner Barber made a motion to call a for a Public Hearing to hear the request for a Special Use Permit for Charles Steadwell, at the regular scheduled meeting on Monday, September 16, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street. The motion was seconded by Commissioner Tanner. All ayes, the motion carried 3-0.**

- g. *Call for a Public Hearing –Conditional Zoning Amendment for McNeill Ridge Subdivision; Petitioner: Matthew Kirby*

Mr. Matthew Kirby, the manager of SKC Properties, LLC which owns parcel 20070750, has applied for a conditional zoning amendment for the project known as “McNeill Ridge Subdivision.” This project was approved for 78 single family lot subdivisions with the zone R-10-CZ on the corner of Rockingham Street and McNeill Street. The applicant is proposing some changes to the conditions.

**MOTION**

**Commissioner Tanner made a motion to call a for a Public Hearing to hear the request Conditional Zoning Amendment for McNeill Ridge at the regular scheduled meeting on Monday, September 16, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street. The motion was seconded by Mayor Pro Tem McDonald. All ayes, the motion carried 3-0.**

**MOTION**

**Commissioner Tanner made a motion to go out of the Regular Meeting and into Closed Session. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 3-0.**

**MOTION**

**Commissioner Barber made a motion to go out of the Closed Session and back into the Regular Meeting. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 3-0.**

**ADJOURNMENT**

**MOTION**

**With no other business, Mayor Pro Tem McDonald motioned to adjourn the regular meeting. Commissioner Barber seconded the motion. All ayes, motion carried 3-0. The regular meeting was adjourned at 9:182 p.m.**



## MANAGER'S REPORT

Date: September 10, 2024  
To: The Board of Commissioners  
From: Emily D. Yopp, Town Manager

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### 1. Project Updates

#### a. Downtown Revitalization Projects

I am working with the Central Pines Regional Council (CPRC) team to develop an overall plan for workflow, bidding and procurement and grant reporting for the downtown revitalization projects to include the new town hall building. The workflow plan so far is as follows:

##### September:

- CPRC will begin developing a process flow document and begin gathering information on bidding and procurement.

##### October:

- CPRC will work with town staff to prepare project ordinances clearly outlining line-item costs for each grant project and will take the lead in preparing the bids.
- Town staff will bring the project ordinances to the Board for approval at the October regular meeting.

##### November:

- Publish the bids after the board approves the project ordinances.
- CPRC will finalize the process flow document and prepare any necessary spreadsheets to track spending for each project and grant.

##### December

- Aim to have the bid process complete by early December.
- Contractor selection process by the Board of Commissioners to begin with a goal of having a contractor selected by early January.

##### January

- Enter the contract process with the selected contractor and begin work.

#### b. Pickleball Project

As of this writing I am awaiting one last estimate for new, black vinyl coated fencing to divide the pickleball courts as well as replace the existing galvanized metal fencing around the perimeter of the court to ensure a uniform appearance at the end of the project. So far, final estimates to renovate the existing court are coming in well under budget. I hope to bring more up-to-date information to you at your next meeting.

#### c. UDO Update

The staff and I continue to work with Kimley Horn on developing a fully updated Unified Development Ordinance for the Planning Board and Board of Commissioners to begin considering in the coming months. As Kimley Horn develops a section of UDO language they submit it to Jennifer, Jamie and I for review and comments. Once we have a draft version, we move on to another section for review. This process will continue until staff has reviewed all sections and then we will begin the public hearing/meeting process. Currently, staff have reviewed language on the Table of Permitted Uses, Open Space requirements, and Electric Vehicle charging stations. There are many sections left to go and we are about halfway through this 2-year process.

## 2. New Administrative Department Schedule & Time Clocks

As workloads continue to increase in the administrative department, Kim Gibson (HR Officer) and I felt it was time to consider updating the work schedule in the admin department to allow more opportunity for admin staff to achieve better work-life balance, help reduce feelings of burnout and ensure that the citizens of Carthage are receiving the highest quality of service while at the same time promoting the retention of professional and trained staff. The new schedule is what we are calling a “rotating 4-10” schedule where all admin employees are working 4 days a week (Tues-Thurs) and then half the admin staff is off on either Friday or Monday to create 3-day weekends that allow for more time to take care of personal appointments, rest, spend time with family, etc. We have created a “partner” system where there is an admin employee from each service area (i.e., planning/zoning, finance, utilities, etc.) that is available to take any questions or calls from the public on the days when their “partners” are off.

The new schedule began about 2 weeks ago and, so far, is working very well. Kim and I are monitoring service quality and logistics to identify any concerns this new schedule may uncover, but we are confident that this new schedule will achieve the desired results – an administrative staff that is efficient, productive, and ready to serve the community and its growing needs while also achieving balance and meeting the needs in their personal lives.

We have also implemented a pilot program to test new time clock software and equipment that we hope will reduce time spent in the finance department processing payroll and time sheets. Payroll activities such as entering data into the system, correcting time sheets, calculating varying ranges of pay depending on departments, etc. take up a significant amount of time for any employer. As our staff numbers increase, so does the time needed to process payroll. With only two finance department employees, it is important to find ways to complete these payroll tasks more quickly and efficiently. While we think this step will provide a lot of benefits to the organization, the top goals for this time clock program are:

- 1) reduce the time the finance department spends on processing payroll by utilizing modern time clock technology to log and upload clock in/clock out data into our payroll processing software,
- 2) allow employees to report actual time spent working to ensure accuracy of pay and better budget forecasting.
- 3) reduce the time all employees spend on tracking their time on paper timesheets so that they spend more time working and learning in their roles and less time doing paperwork.

We are currently testing the program in the admin and public works departments. Once we have analyzed all the information and smoothed out any processes, we will move to implement the program in the fire and police departments as well.

Respectfully submitted,

Emily Yopp, Town Manager

**TOWN OF CARTHAGE  
CASH POSITION**

<b>FUND</b>		<b><u>AUGUST 2024</u></b>	<b><u>JULY 2024</u></b>	<b><u>JUNE 2024</u></b>
#10	Cash on Hand			
	Petty Cash	\$300.00	\$300.00	\$300.00
	Crime Investigation	\$200.00	\$200.00	\$200.00
#10	General Fund			
	Central Depository (.05% Yield)	\$644,816.98	\$310,469.32	\$792,203.18
	CD Mature 03/20/2024 (0.02% Yield)	\$25,437.02	\$25,437.02	\$25,437.02
	NC Capital Trust (5.23% Yield)	\$951,650.87	\$947,449.63	\$943,263.89
#10	Firemens' Fraternal			
	Central Depository (.05% Yield)	\$14,368.00	\$14,368.00	\$14,368.00
#10	McConnell Marker			
	Central Depository (.05% Yield)	\$200.00	\$200.00	\$200.00
#10	Restricted Performance Bond			
	Central Depository (.05% Yield)	\$23,632.00	\$23,632.00	\$23,632.00
#10	Carriage Hills Surety			
	Central Depository (.05% Yield)	\$20,000.00	\$20,000.00	\$20,000.00
#10	Carriage Place Townhomes Surety			
	Central Depository (.05% Yield)	\$35,000.00	\$35,000.00	\$35,000.00
#10	Historical			
	Central Depository (.05% Yield)	\$1,685.14	\$1,685.14	\$1,685.14
#15	Powell Bill Fund			
	Central Depository (.05% Yield)	\$81,499.01	\$84,127.23	\$39,086.36
	NC Capital Trust (5.23% Yield)	\$94,348.36	\$93,931.84	\$93,516.86

		<u>AUGUST 2024</u>	<u>JULY 2024</u>	<u>JUNE 2024</u>
#30	Water			
	Central Depository (.05% Yield)	\$519,234.54	\$460,291.91	\$456,305.79
	CD Mature 03/20/2024 (.02% Yield)	\$17,300.70	\$17,300.70	\$17,300.70
	NC Capital Trust (5.23% Yield)	\$342,468.07	\$340,956.18	\$339,449.87
#31	Sewer			
	Central Depository (.05% Yield)	\$1,333,366.95	\$1,265,508.04	\$1,207,585.51
	CD Mature 03/20/2024 (.20% Yield)	\$17,300.69	\$17,300.69	\$17,300.69
	NC Capital Trust (5.23% Yield)	\$98,326.69	\$97,892.61	\$97,460.13
#35	Capital Reserve Water & Sewer Improvements			
	Central Depository (.05% Yield)	\$508,992.09	\$508,992.09	\$508,992.09
#70	Cemetery			
	Central Depository (.05% Yield)	\$0.00	\$0.00	\$0.00
	NC Capital Trust (5.23% Yield)	\$29,559.23	\$29,428.73	\$29,298.72
	<b>TOTALS</b>	<b>\$4,759,686.34</b>	<b>\$4,294,471.13</b>	<b>\$4,662,585.95</b>

Carthage Police Department | Citation / Warning (NC)s: 28 Results | 2024-08-01 - 2024-08-31

Citation/Warning Type	Citation Date/Time	Agency Case Number	Race	Gender	File No.
Written Warning	2024-08-17 15:42	24-004324	W - White	M - Male	
Written Warning	2024-08-18 06:18	24-004346	W - White	F - Female	
Written Warning	2024-08-16 14:52	24-004289	B - Black or African American	F - Female	
Written Warning	2024-08-16 15:46	24-004293	W - White	F - Female	
Written Warning	2024-08-19 07:48		B - Black or African American	F - Female	
Written Warning	2024-08-19 09:35		W - White	F - Female	
Written Warning	2024-08-19 17:23	24-004392	W - White	F - Female	
Written Warning	2024-08-26 12:01	24-004568	W - White	F - Female	
Written Warning	2024-08-23 18:57	24-004496	W - White	M - Male	
Written Warning	2024-08-24 19:54	24-004529	W - White	F - Female	
Written Warning	2024-08-25 16:12	24-004555	B - Black or African American	M - Male	
Written Warning	2024-08-23 08:32		W - White	M - Male	
Written Warning	2024-08-23 15:47	24-004490	W - White	M - Male	
Written Warning	2024-08-22 07:08	24-004457	W - White	M - Male	
Written Warning	2024-08-15 20:51		W - White	M - Male	
Written Warning	2024-08-11 18:25	24-004150	W - White	F - Female	
Written Warning	2024-08-10 10:20	24-004101	W - White	M - Male	
Written Warning	2024-08-09 21:41	24-004078	W - White	M - Male	
Written Warning	2024-08-09 20:41	24-004072	W - White	F - Female	
Written Warning	2024-08-10 01:03	24-004085	I - American Indian or Alaska Native	M - Male	
Written Warning	2024-08-06 08:05	24-003991	W - White	F - Female	
Written Warning	2024-08-06 14:11	24-003998	W - White	M - Male	
Written Warning	2024-08-05 21:15	24-003981	W - White	M - Male	
Written Warning	2024-08-06 06:38	24-003988	W - White	M - Male	
Written Warning	2024-08-05 14:45	24-003972	W - White	F - Female	



Carthage Police Department | Incident (NC)s: 25 Results | 2024-08-01 - 2024-08-31

Incident Number	Reference #	Primary Offense
I20240829-05	24-002658	90Z - All Other Offenses : Warrant Service
I20240825-04	24-004547	90Z - All Other Offenses : Natural Death
I20240823-01	24-004482	220 - Burglary/Breaking & Entering
I20240810-08	24-004117	90Z - All Other Offenses : Sexual Assault
I20240806-03	24-003986	90Z - All Other Offenses : Warrant Service
I20240824-01	24-004534	90Z - All Other Offenses : Verbal Domestic
I20240805-41	24-003969	90Z - All Other Offenses : Located Wanted Person
I20240805-09	24-003966	90Z-28 - Identity Fraud : Identity Fraud
I20240802-01	24-003917	90Z-43 - Suicide : Suicide Attempt
I20240816-04	24-004194	90Z - All Other Offenses : Warrants
I20240813-04	24-004191	90Z - All Other Offenses : Warrant Served
I20240804-01	24-003944	290 - Destruction/Damage/Vandalism of Property
I20240827-01	24-004590	90Z - All Other Offenses : Trespass
I20240813-01	24-004180	90Z - All Other Offenses : Welfare Check
I20240803-07	24-003927	23H - All Other Larceny
I20240829-28	24-004670	90Z - All Other Offenses : Warrant Service
I20240809-03	24-004071	13B - Simple Assault
I20240806-29	24-004001	90Z-59 - Fraud : Financial Card Fraud (Information)
I20240827-26	24-004607	90Z-57 - Check Fraud : Check Fraud
I20240827-22	24-004606	90Z-57 - Check Fraud : Check Fraud
I20240818-04	24-004357	90Z-09 - Resist Arrest : RDO
I20240818-01	24-004349	90J - Trespass of Real Property
I20240817-01	24-004317	23G - Theft of Motor Vehicle Parts or Accessories
I20240803-04	24-003937	90Z - All Other Offenses : Damage to Property.

Carthage Police Department | Incident (NC)s: 25 Results | 2024-08-01 - 2024-08-31

<b>Incident Number</b>	<b>Reference #</b>	<b>Primary Offense</b>
I20240802-15	24-003929	90Z - All Other Offenses : A Verbal altercation

Carthage Police Department | Warrants: 3 Results | 2024-08-01 - 2024-08-31

Incident	Warrant Type	Arrest Date	U C R/N I B R S Offenses	Race	Gender	Obtained Location (F I P S)	Offense Date/ Time
I20240829-28	Felony Warrant	2024-08-29T20:06:00.000Z	90Z - All Other Offenses	B - Black or African American	M - Male	125 - Moore	2024-08-29 16:06
I20240829-05	Felony Warrant	2024-08-29T12:30:00.000Z	90Z - All Other Offenses	B - Black or African American	M - Male	125 - Moore	2023-12-01 00:00
I20240805-41	Felony Warrant	2024-08-05T16:11:00.000Z	90Z - All Other Offenses	B - Black or African American	M - Male	125 - Moore	2024-08-05 00:00

## MONTHLY REPORT AUGUST 2023

### Water Service

Locates	Work Orders	Cut-Offs / Tags	Meters Installed	Water Main/ Service Repairs	Water Taps
<b>179</b>	<b>61</b>	<b>36</b>	<b>9</b>		<b>2</b>

### Sewer Service

Service Renewals	Lift Station Repairs	Force Main Repairs	Mowed Outfall Lines	Town Sewer Backups	Sewer Taps
				<b>2</b>	

### Building & Grounds

Leaf & Limb Total Rounds	Trash Runs	Complete Mowed Rounds	Building Repairs
<b>2</b>		<b>2</b>	

### Streets

Cleaned Out Catch Basin	Cleaned Streets With Blower
<b>1</b>	

### Construction Projects

- 1.
- 2.
- 3.

Additional Notes:



## MEMORANDUM

Date: September 16, 2024

To: Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: SUP-01-24: Special Use Permit for 405 Monroe Street, PARID 00000357, Zone B-2;  
Petitioner: Charles Steadwell

### I. SUMMARY OF APPLICATION REQUEST:

The applicant and owner, Charles Steadwell of 405 Monroe Street, parcel 00000357, would like to propose a small car lot. This parcel is approximately half an acre in the B-2 "Central Business District Fringe" zoning district. Mr. Steadwell has been working with Kevin Lindsay, an engineer with Crawford Design Company, to design a small car lot. Mr. Steadwell is requesting a Special Use Permit to ask for relief from building a sidewalk along East Barrett, because there is no curb and gutter there and he believes there is insufficient space on the lot to install a safe sidewalk. Also, Mr. Steadwell is requesting an exception to allow for crepe myrtles on Monroe Street to be counted as buffer bushes even though they are in the right of way. This project is located at the corner of East Barrett Street and Monroe Street. Please view the diagram below for the property outlined in red.



**II. PROJECT INFORMATION:**

1. PARID: 00000357      PIN: 857707792859
  
2. Applicant & Owner:      Charles Steadwell  
   150 Redgrass Lane  
   Carthage, NC 28327
  
3. Long-Range Plan Designation:  
    This future area of this land appears to be Downtown and/or Commercial per the adopted 2040 Land Use Plan.
  
4. Current Zoning:  
    The current zoning is B-2 "Central Business District Fringe." The B-2 district is primarily designed to provide roadside uses which will best accommodate the needs of the motoring public and of businesses demanding high volume traffic. This district includes the Central Business District fringe area.
  
5. Application Review Dates:
  - i. Application submitted: July 16, 2024
  - ii. Application complete (per UDO Section 100.38-4): July 16, 2024
  - iii. Board of Commissioners: Call Public Hearing: August 19, 2024
  - iv. Board of Commissioners: Public Hearing: September 16, 2024

**III. APPLICATION REVIEW:**

When reviewing an application for rezoning, the Board of Commissioners shall consider and be guided by Article 3. Below is highlighted Section 100.24, Section 100.38-7, Section 100.38-8 and Section 100.38-10 as set forth in UDO below:

**Sec. 100.24 Board of Commissioners**

*Without limiting any authority granted to the Board of Commissioners by General Statutes or by other Ordinances of the Town, the Board of Commissioners shall have the following powers and duties with respect to this Ordinance:*

1. *To adopt, amend or repeal this Ordinance;*
2. *To adopt amendments to the Official Zoning Map;*
3. *To adopt design guidelines for the Historic Preservation Overlay Districts;*
4. *To approve or deny requests for approval of major preliminary and final subdivision plats, Special Use Permits, Conditional Zoning, Vested Rights, and major site plans;*
5. *To perform the powers and duties of a Board of Adjustment; and,*
6. *Such additional powers and duties as may be set forth in this Ordinance.*

**Section 100.38-8 Public Hearing for a Special Use Permit Application:**

*A. Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the zoning or unified development ordinance. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the city shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.*

*B. The Board of Commissioners, after a quasi-judicial hearing, may decide, in particular cases, and*

subject to appropriate conditions and safeguards, permits for conditional uses as authorized by the Table of Permitted and Conditional Uses. In granting a Special Use Permit, the Board shall make the following determinations.

1. The use requested is among those listed as an eligible Conditional Use in the Table of Permitted and Conditional Uses for the district in which the subject property is located;
2. The application is complete.
3. The conditional use meets all required conditions and specifications of this chapter; and that satisfactory provision and arrangement has been made for at least the following, where applicable:
  - a. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control.
  - b. Provision of off street parking and loading areas where required, with particular attention to the items in (1) above, and the economic, noise, glare and odor effects of the conditional use on adjoining properties in the area
  - c. Adequate and proper utilities, with reference to location, availability and compatibility.
  - d. Buffering, with reference to type, location and dimensions.
  - e. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district.
  - f. Playgrounds, open spaces, yards, landscaping, access ways, pedestrian ways, with reference to location, size and suitability.
  - g. Buildings and structures, with reference to location, size and use.
  - h. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.
  - i. Stormwater management

C. Even if the Town Board finds the application complies with all other provisions of this Ordinance, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

1. Will materially endanger the public health or safety, or
2. Will substantially injure the value of adjoining or abutting property, or
3. Will not be in harmony with the area in which it is to be located, or
4. Will not be in general conformity with the Land Use Plan, Comprehensive Transportation Plan, Bicycle and Pedestrian Plan or other plans officially adopted by the Town Board of Commissioners.
5. Will not meet one of the conditions required by this Ordinance (see Section 100.37-8D)

D. In granting a Special Use Permit, the Board may impose such additional restrictions and requirements upon such Permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured, and substantial justice done. Conditions shall not be put in place for which the local government does not have authority to enforce or for which the courts have held to be unenforceable. If all requirements and conditions are accepted by the applicant, the Board shall authorize the issuance of a Special Use Permit, otherwise the Permit shall be denied.

E. The conditions shall be accepted by the applicant/property owner in writing before the permit becomes effective.

F. Any Special Use Permit so authorized shall be perpetually binding upon the property included in such Permit unless subsequently changed or amended by the Board, as provided for in this Section. No proposal to amend or change any Special Use Permit shall be considered within six (6) months of the date of the original authorization of such Permit or within six (6) months of hearing of any previous proposal to amend or change any such Permit.

**Sec. 100.38-10 Board of Commissioners Action on Special Use Permits**

*In considering whether to approve an application for a Special Use Permit, the Town Board shall proceed according to the following format:*

*(A) A simple majority vote of the Town Board is required to approve any motion related to the issuance of a Special Use Permit.*

*(B) The Town Board shall consider whether the application is complete. If the Town Board concludes that the application is incomplete and the applicant refuses to provide the necessary information, the application shall be denied. A motion to this effect shall specify either the particular type of information lacking or the particular requirement with respect to which the application is incomplete. If a motion to this effect is not approved, this shall be taken as an affirmative finding by the board that the application is complete.*

*(C) The Town Board shall consider whether the application complies with all of the applicable requirements of this chapter. If a motion to this effect passes, the Town Board need not make further findings concerning such requirements. If such a motion fails or is not made, then a motion shall be made that the application be found not in compliance with one or more of the requirements of this chapter. Such a motion shall specify the particular requirements the application fails to meet. Separate votes may be taken with respect to each requirement not met by the application. It shall be conclusively presumed that the application complies with all requirements not found by the Town Board to be unsatisfied through this process.*

*(D) If the Town Board concludes that the application fails to comply with one or more requirements of this chapter, the application shall be denied. If the Town Board concludes that all such requirements are met, it shall issue the permit, unless it adopts a motion to deny the application for one or more of the reasons set forth in C above. Such a motion shall propose specific findings, based upon the evidence submitted, justifying such a conclusion.*

*(E) Subject to subsection (F), in granting a Special Use Permit, the permit-issuing board may, by a simple majority vote, attach to the permit such reasonable requirements in addition to those specified in this Chapter as will ensure that the development in its proposed location:*

- (1) Will not endanger the public health or safety,*
- (2) Will not injure the value of adjoining or abutting property,*
- (3) Will be in harmony with the area in which it is located, and*
- (4) Will not be in general conformity with the Land Use Plan, Comprehensive Transportation Plan, Bicycle and Pedestrian Plan or other plans officially adopted by the Town Board of Commissioners.*
- (5) Meets the specific conditions applicable (See Section 100.37-8D).*

*(F) The permit-issuing board may not attach additional conditions that modify or alter the specific requirements set forth in this chapter unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.*

*(G) Without limiting the foregoing, the Board of Commissioners may attach to a permit a condition limiting the permit to a specified duration.*

*(H) All additional conditions or requirements shall be entered on the permit.*

*(I) All additional conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this chapter.*



*(J) A vote may be taken on application conditions or requirements before consideration of whether the permit should be denied for any reasons set forth above.*

**A. Staff Comments:**

Jennifer Hunt, Town Planner, has met with the applicant and their engineer at the Technical Review Committee (TRC) meeting on June 6, 2024. At the TRC meeting, sidewalks are required on both East Barrett Street and Monroe Street. Per Unified Development Ordinance (UDO) Section 100.57 (10) it says, "Sidewalks for Existing Lots of Record: New construction on existing lots of record shall install sidewalks built to Town of Carthage standards when located on a block containing sidewalks or if located on a major or minor collector, or principal or minor arterial road in accordance with NCDOT's functional road classification."

East Barrett Street is a minor collector road which leads to Monroe Street a major collector. Due to this property being in the Downtown area, the Town of Carthage is doing its best to connect all areas of the community for people who walk and bike as well as drive. East Barrett Street requires a sidewalk. However, the applicant is applying for a SUP, stating there is insufficient space and would like to maintain the buffer, landscaping and not build the sidewalk along East Barrett Street.

Also, at the TRC meeting, it was noted that this is a double frontage lot, therefore the minimum yard requirements for front yards apply along both street fronts. The front yard setback in the B-2 zoning district is 25 feet. This 25-foot front yard setback requirement would require the sight triangle where the one way- driveway is located along East Barrett Street to have a lot of natural vegetation removed. Also, it would impact the driveway and the exiting along the one way. The applicant is presenting a 15-foot setback along East Barrett Street. The applicant is wanting to minimize the sight triangle, less than the full required amount, and

The applicant is also requesting the three crepe myrtles along Monroe Street be allowed to be counted as buffer even though they are within the right of way. Per Section 100.60 (2) it says, "Landscaping requirements are stated in terms of the width of the buffer yard and the number of plant units required per each one hundred (100) linear feet of buffer yard. The widths listed must be maintained along all street rights-of-way and along all property lines. The Lot Size (Less than 25,000 sq. ft.) requires a Buffer Yard Width of 4 feet and the number of plant units per 100 linear feet of the buffer yard is 4 shrubs or trees. The approximate linear feet along E Barrett Street is 400 feet, therefore 4 shrubs or trees which are not in the right of way. The approximate linear feet along Monroe Street are approximately 400 linear feet, therefore 4 shrubs or trees as well, which are not in the right of way.

I have advised the engineer that visibility at each intersection is very important per Section 100.57 (16). The one-way driveway proposed that spills onto East Barrett Street is important to provide visibility for drivers traveling along Monroe Street as well as those exiting the driveway. The people driving cars need to be able to see clearly those coming down East Barrett Street as well as the driveway of the proposed project. I would recommend following the full sight triangle requirements and keeping the right of way clear to avoid potential accidents. In general, in North Carolina sight distance triangles are usually 10 feet from the back of the curb and extend 70 feet from the edge of each side of the driveway. The applicant is proposing 10 ft by less than 70 feet. Please view Attachment 1 for the site plan.

All standards from Section 100.57 General and Dimensional standards shall apply to this project, except for those called out, for the Special Use Permit. The applicant is proposing a small car lot, with 17 spaces total, which is permitted use in the Town of Carthage of "Motor Vehicle Sales" in the B-2 zoning district.

Please view Attachment 2 for the TRC Comments and the responses from the applicant. The applicant is proposing to change the recommendations from our UDO with the following:

1. Our UDO recommends sidewalks on dual road frontage; however the applicant is proposing not to build a sidewalk on E Barrett Street.
2. Our UDO recommends no landscaping in the right of way; however, the applicant is proposing to ask to keep 16 crepe myrtles to be counted as a buffer even though they are in the right of way.
3. Our UDO proposes not to allow temporary buildings, unless a request of a special use permit is brought before the Board of Commissioners. The applicant's intent is for the building to be permanent with water and sewer. I would recommend the BOC ensure this is not a temporary building.

**IV. ATTACHMENTS PROVIDED BY THE APPLICANT:**

1. Attachment 1: Site Plan for 405 Monroe Street

**V. PLANNING BOARD RECOMMENDATIONS:**

1. The Planning Board does not receive SUP. They are quasi-judicial.

**VI. BOARD OF COMMISSIONERS ACTION:**

In considering whether to approve an application for a Special Use Permit, the Town Board shall proceed according to the following format:

(A) A simple majority vote of the Town Board is required to approve any motion related to the issuance of a Special Use Permit.

(B) The Town Board shall consider whether the application is complete. If the Town Board concludes that the application is incomplete and the applicant refuses to provide the necessary information, the application shall be denied. A motion to this effect shall specify either the particular type of information lacking or the particular requirement with respect to which the application is incomplete. If a motion to this effect is not approved, this shall be taken as an affirmative finding by the board that the application is complete.

(C) The Town Board shall consider whether the application complies with all of the applicable requirements of this chapter. If a motion to this effect passes, the Town Board need not make further findings concerning such requirements. If such a motion fails or is not made, then a motion shall be made that the application be found not in compliance with one or more of the requirements of this chapter. Such a motion shall specify the particular requirements the application fails to meet. Separate votes may be taken with respect to each requirement not met by the application. It shall be conclusively presumed that the application complies with all requirements not found by the Town Board to be unsatisfied through this process.

(D) If the Town Board concludes that the application fails to comply with one or more requirements of this chapter, the application shall be denied. If the Town Board concludes that all such requirements are met, it shall issue the permit, unless it adopts a motion to deny the application for one or more of the reasons set forth in C above. Such a motion shall propose specific findings, based upon the evidence submitted, justifying such a conclusion.

(E) Subject to subsection (F), in granting a Special Use Permit, the permit-issuing board may, by a simple majority vote, attach to the permit such reasonable requirements in addition to those specified in this Chapter as will ensure that the development in its proposed location:

- (1) Will not endanger the public health or safety,
- (2) Will not injure the value of adjoining or abutting property,
- (3) Will be in harmony with the area in which it is located, and

(4) Will not be in general conformity with the Land Use Plan, Comprehensive Transportation Plan, Bicycle and Pedestrian Plan or other plans officially adopted by the Town Board of Commissioners.

(5) Meets the specific conditions applicable (See Section 100.37-8D).

(F) The permit-issuing board may not attach additional conditions that modify or alter the specific requirements set forth in this chapter unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.

(G) Without limiting the foregoing, the Board of Commissioners may attach to a permit a condition limiting the permit to a specified duration.

(H) All additional conditions or requirements shall be entered on the permit.

(I) All additional conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this chapter.

(J) A vote may be taken on application conditions or requirements before consideration of whether the permit should be denied for any reasons set forth above. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

**PETITION MOTION**

**And, therefore, I move to:**

**OPTION 1**

Approve SUP-01-24 as written and presented.

or

**OPTION 2**

Approve SUP-01-24 with the following conditions.....

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***(Option 3 on next page)***

**OPTION 3**

Deny SUP-01-24 for the following reasons.....

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## TRC Comments

Project: 405 Monroe Street

Applicant- Charles Steadwell

6/6/2024

9:30 AM, in person at Town Hall

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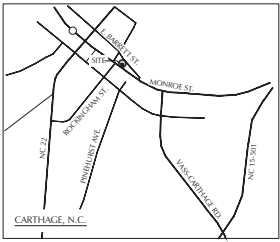
### Planning:

1. The office building must be permanent and connect with sewer and water, we do not allow temporary buildings, unless you request a special use permit with the Board of Commissioners. [Intent is for building to be permanent with public water and sewer.w](#)
2. You will need a sidewalk, per Section 100.57 on E Barrett Street since you have dual road frontage.  
[Request relief from sidewalk on E Barrett due to lack of curb and gutter and steep grades.](#)
3. There shall be no landscaping in the sight triangle 3-7 feet.  
[Plans updated.](#)
4. There is a side setback of 15' per Note #2 in the Table of Dimensional Standards and a corner setback of 15', please label accordingly.  
[The only side set back is on the southeast corner/intersection. It doesn't show because the intersection of teh front and back setbacks is more than 15 feet away from the corner. We listed the setback in the notes.](#)
5. The use is "Motor Vehicle Sales" not "Auto Sales", please label accordingly.  
[Change made.](#)
6. You will need to fill out a sign permit for your business if you would like one and adhere to Section 100.59. You are in Zone B-2.  
[Noted](#)
7. Your landscaping, per Section 100.60 (2.) Landscaping Requirements A. Landscaping requirements are stated in terms of the width of the buffer yard and the number of plant units required per each one hundred (100) feet of buffer yard. The widths listed must be maintained along all street rights-of-way and along all property lines. 157 Lot Size Buffer Yard Width # of Plant Units per 100 Linear Ft of Buffer Yard Less than 25,000 SF, 4 yard buffer width, 4 shrubs or trees per 100 linear feet or buffer yard.
  - a. Please label where your 4' buffer yard is going. It cannot be in the street ROW or on the sidewalk. You currently have it labeled where the sidewalk is on Monroe Street.  
[We have requested to place it partially in the ROW due to location of existing crepe myrtles.](#)
  - b. Trees or shrubs may be spaced no more than fifty (50) feet apart. 2. One large tree shall be planted for every fifteen (15) parking spaces. [We have added 3 canopy trees to the plan](#)
  - c. Sec. 100.60 (G.) Shopping Centers, Condominium/Townhouse, Multifamily Group, and Planned Unit Developments. **Buffer yards are required only along exterior property lines of the project; however, buffer yards are required along all property lines of out parcels that have direct access onto a public street.**  
[Existing vegetation meets most of the requirements. 3 canopy trees have been added.](#)

- i. You currently have landscaping along E. Barrett so when you place the sidewalk there along the property lines, then you may use the existing landscaping and not need to add anymore. [Noted](#)
  
- 8. You will need to show where you are placing your outdoor lighting, and what type of lighting per Section 100.61, that shows the measurement per lumens along the property lines.  
[Lighting plan is still to be determined.](#)
- 9. Per 100.62 (B.) Structures located within the B-2, TBD, R-HD and Historical districts shall be constructed of masonry, stone, stucco or frame materials, including aluminum, vinyl or Masonite siding, with the exception of mobile homes on an individual lot in the RA-40 zoning district. Metal buildings may be constructed if covered completely along the front and all sides with brick veneer or stucco materials. Uncovered metal may be used on the rear of a building if completely screened from view from any adjacent public or private street.  
[Noted.](#)
- 10. What is the measurement of the width of your driveway?  
[Existing 33.5', Existing 14', and Existing on E. Barrett to be widened to 14'](#)

**Public Works & Fire:**

- Water-            No Comments
- Sewer-            No Comments
- Streets-            You will need to our concrete and asphalt apron standards on the driveways.  
[We have showed 20' of concrete.](#)
- Storm water-    It looks like the parking will be 8" ABC stone. Will this meet our impervious surface guidelines.    [Mostly ABC except at entrances where concrete is required.](#)
- Fire-                No Comments



VICINITY MAP (NTS)

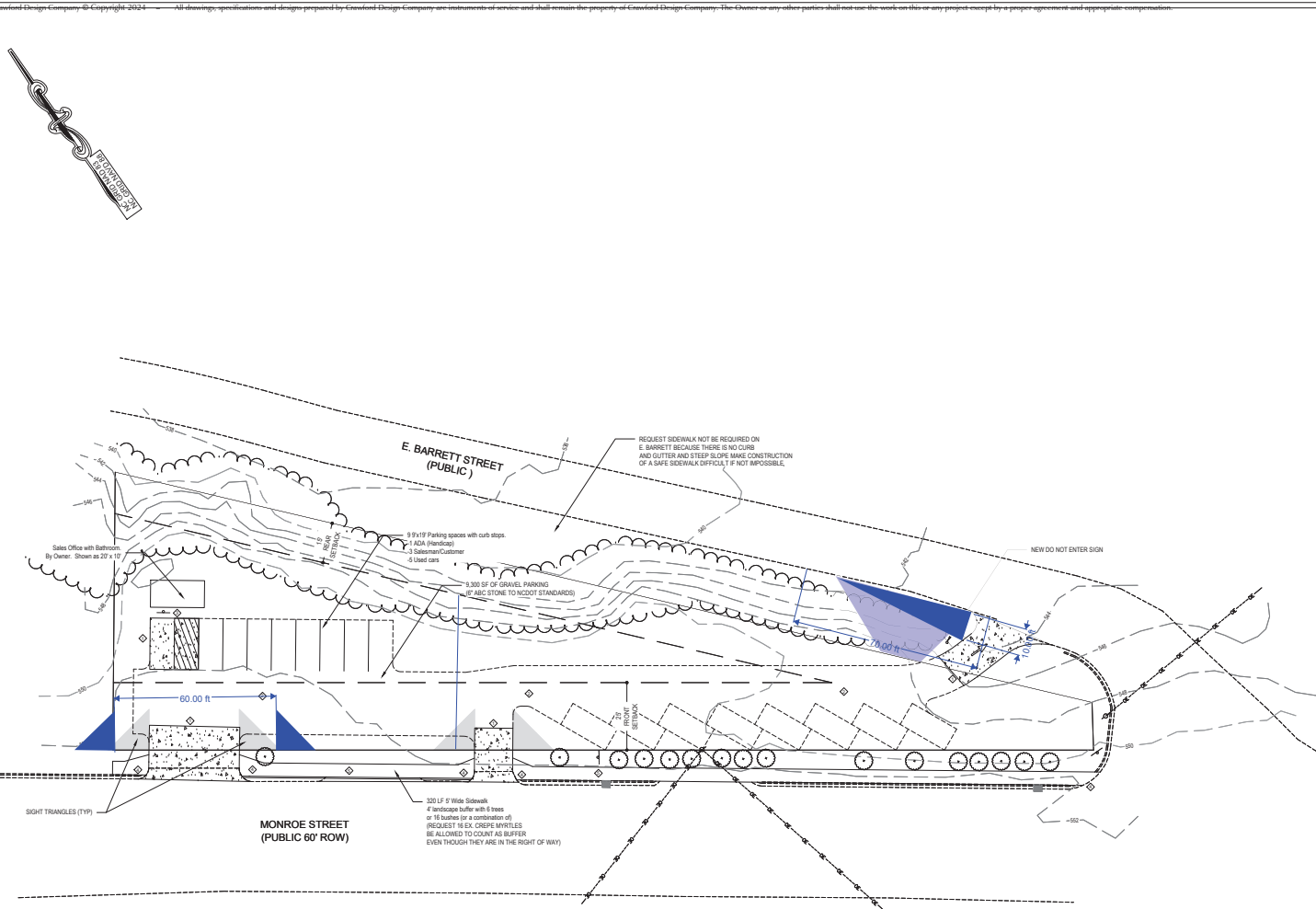
- SITE NOTES**
- ◆ INSTALL CONCRETE PER TOWN OF CARTHAGE STANDARDS. ALL CONCRETE TO BE MINIMUM NCDOT CLASS B, 6" MIN THICKNESS. APPROXIMATELY 1,800 SF
  - ◆ INSTALL GRAVEL PARKING AREAS. ALL GRAVEL TO BE MIN 6" AGGREGATE BASE COURSE TO NCDOT STANDARDS. PROOFROLL SUBGRADE AND SURFACE WITH WITNESS BY ENGINEER. APPROXIMATELY 9,300 SF
  - ◆ INSTALL ADA PARKING AND SIGN (CDC DETAIL 1.1805)
  - ◆ INSTALL ADA CONNECTION AT DRIVEWAY (CDC DETAIL SHEET)
  - ◆ INSTALL 5" CONCRETE SIDEWALK (CDC DETAIL 1.2517)

**ADDITIONAL NOTES**

Parcel ID:00000357  
 PIN:00707703859  
 STEADWELL, CHARLES  
 STEADWELL, CARMEN  
 150 REDGRASS LANE  
 CARTHAGE, NC 28327  
 Deed Book:6107  
 Deed Page:399  
 LNK:307

21,900 sq ft / 0.50 acres  
 B-2 Lot Standards  
 Min Size: 10,000 sq ft  
 Front Setback: 25'  
 Side Setback: 17'  
 Rear Setback: 15'  
 Max height: 20'  
 Max BU: 6.5%  
 AUA: 6,394 SF, 29%  
 Motor vehicle sales is a permitted use

BOUNDARY AND TOPO FROM MOORE CO. GIS



Landscape Architecture Fayetteville, NC  
 Civil Engineering Southern Pines, NC  
 230C.W. Parry Avenue, Southern Pines, NC 28387  
 Voice: 910.725.1107  
 www.crawforddesign.com



No.	Revisy	Description

CHARLES STEADWELL  
 MOTOR VEHICLE SALES  
 CARTHAGE, NC

SITE LAYOUT PLAN

Project Manager: KSL  
 CSD Technician: BJS  
 Reviewed / Approved By:  
 Project Number:

Full Scale: Horiz: 1" = 50'  
 Half Scale: Horiz: 1" = 40'

06/18/2024



Know what's below.  
 Call before you dig.

C2.0



## MEMORANDUM

Date: September 16, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: CZ-05-24: Conditional Zoning Amendment Request for the project "McNeill Ridge Subdivision" located at PARID 20070720, approved ORD 23.19, Zone: R-10-CZ, 32.01 acres.  
Petitioner: Kirby Holding Group, LLC

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### I. SUMMARY OF APPLICATION REQUEST:

The applicant, Mr. Matthew Kirby, the manager of SKC Properties, LLC which owns parcel 20070750, has applied for a conditional zoning amendment for the project known as "McNeill Ridge Subdivision." This project was approved for 78 single family lot subdivisions with the zone R-10-CZ on the corner of Rockingham Street and McNeill Street. Please view Attachment 1 for the fully executed ORD 23.19. Mr. Kirby would like to request to amend some of these conditions. Therefore, he will need the Board of Commissioners approval to do so. Please view the amendment requests, located below the approved ORD 23.19.

### **ORD 23.19 (approved September 18, 2023):**

*The Zoning Map of the Town of Carthage is hereby amended by rezoning Parcel (PARID) 20070720 which is 32.01 acres, from R-20 (Residential) to R-10 CZ (Residential Conditional Zoning) with the following conditions below:*

1. 78 single-family lot subdivision.
2. Proposed Zoning R-10 CZ (min. 10,000 sf lots).
3. Side setbacks of 10' and Corner Side setbacks of 15'.
4. Valley concrete curbing and 60 foot right of way (ROW).
5. Sidewalks on one side of the roadway.
6. 75' minimum lot width.
7. Developer to provide 60' undisturbed buffer along existing lots along McNeill Street (all buffer to be dedicated to Town as Open Space).
8. Developer to provide 30' undisturbed buffer along existing lots along McNeill Street and Rockingham Street (all buffer to be dedicated to Town as Open Space).
9. Developer will NOT "mass-grade" the development, but only grade for the roadway, infrastructure, and houses.
10. Developer to pay for the design of the waterline from Loyd Lane to the Northeast fire hydrant located on the north side of Rockingham Street in front of Carthage Elementary School.
11. Developer to provide the Town with a \$100,000 development fee for the Town to put to the construction of the waterline from Loyd Land to the fire hydrant in front of Carthage Elementary School, OR to whatever the Town sees fit to fund.
12. The Developer will not pay for the waterline construction and its appurtenances from Loyd Lane to the fire hydrant located in front of Carthage Elementary School.
13. The developer will pay for the design and construction of the waterline from Loyd Land to McNeill Street.

**Proposed Condition (CZ) Changes (submitted August 7, 2024):**

The crossed-out section is what was approved in ORD 23.19 on September 18, 2023 (internal file CZ-05-23), and the underlined verbiage is what is being requested as a proposed condition with this public hearing. Here are the conditions that are being proposed:

1. ~~78 single family lot subdivision.~~ 59 single family subdivision
2. Developer to provide 60' undisturbed buffer along existing lots along McNeill Street (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat. Developer to provide 30' undisturbed buffer along McNeill Street (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat.
3. ~~Developer to provide 30' undisturbed buffer along existing lots along McNeill Street and Rockingham Street (all buffer to be dedicated to Town as Open Space).~~ Developer to provide 30' undisturbed buffer along existing lots of the eastern property line (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat.
4. ~~Developer will NOT "mass-grade" the development, but only grade for the roadway, infrastructure, and houses.~~ Developer will only mass grade for infrastructure, homes, and stormwater management as necessary to ensure positive drainage for the subdivision. Mass grading of other areas of the subdivision will not be allowed.
5. Roadway typical cross-section of 28' back-to-back as depicted on Preliminary Plat. This includes two 12' lanes with 2' rolled (valley) concrete curbing on each side.
6. Lots shall have a minimum of 30' long by 20' wide concrete driveway from the property line to the house with exception of corner lots that may be allowed 15' long by 20' wide concrete driveway depending on home orientation. Driveways will then extend from property line to back of curb.

**II. PROJECT INFORMATION:**

1. PARID: 20070720 (PIN: 857700576725)
2. Applicant: Kirby Holding Group, LLC  
285 SE Broad Street Southern Pines, NC 28387
3. Owner: SKC Properties, LLC &  
  
Integra Enterprises, LLC  
PO Box 1195  
Southern Pines, NC 28388-1195
4. Long-Range Plan Designation:  
This future area of this land appears to be higher density residential or industrial per the adopted 2040 Land Use Plan.
5. Current Zoning:  
The current zoning is R-10-CZ (Residential- Conditional Zoning).



Figure 1: Site Location shaded in green.





### III. APPLICATION REVIEW:

When reviewing an application for conditional zoning, the Board of Commissioners shall consider and be guided by Article 5. Below is highlighted Section 100.42 and Section 100.44 as set forth in UDO:

#### **Section 100.42 Types of Amendments:**

*Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.*

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*
- 3. Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

#### **Section 100.44 (5) Amendment Procedure for Text Amendments and Map Amendments- Board of Commissioners:**

*The Board of Commissioners may choose to make their decision to approve or deny at the same meeting or a subsequent meeting. The Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Board shall vote on the petition. The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.*

- 1. Approve the amendment and describe its consistency with the adopted Land Use Plan.*
- 2. Reject the zoning amendment and describe its inconsistency with the adopted Land Use Plan.*
- 3. Approve the amendment and deem it a modification of the adopted Land Use Plan. The Board shall describe why the action taken is reasonable and in the public interest. In certain circumstances, it may be beneficial for the Planning Board to convene with the Board of Commissioners during the public hearing prior to making their recommendation. Once the hearing is conducted, the Planning Board may then reconvene to make their recommendation the same day or at a subsequent Planning Board meeting for transmittal to the Board of Commissioners.*

#### **C. Staff Comments:**

A short history of this project known as “McNeill Ridge Subdivision” is explained first. The first CZ request for this parcel was on **August 15, 2022**, where a public hearing was held, and the project was denied. The applicant then came back with proposed duplexes on **June 19, 2023**. The preliminary plat was for 66 units (duplexes) located on 33 lots in the R-20 zone. The request was a by right use as the R-20 zone permits the land use for single family homes and duplexes. At the June 19, 2023, meeting the Board of Commissioners invited the applicant to re-submit their application for another CZ request to build the single-family lots and waived the fee. There was a public discussion and concern regarding the landscaping buffer with the duplexes as well as the clear cutting of trees.

The applicant decided to return to the Board of Commissioners with the CZ request for 78 single-family lots which was approved at the **September 2023** Board of Commissioners meeting. This is

known as ORD 23.19, which lists the conditions of approval. Please view Attachment 1. The conditional zoning request included a 30 foot and 60 foot “undisturbed” buffer along the lots along McNeill Street, which will be dedicated to the Town of Carthage as open space. The developer was willing to do valley concrete curbing, with 60 feet right of way and give the Town \$100,000 to use as we see fit. The developer was also willing to pay for the waterline design from Loyd Lane to the northeast fire hydrant located on the north side of Rockingham Street in front of Carthage Elementary School.

The applicant submitted a CZ amendment request for proposed changes **on August 7, 2024**, with his engineering team, LKC engineering, for further changes, which need BOC approval. Please view Attachment 2. Town staff met with the applicant at the Technical Review Committee on July 18, 2024. The applicant submitted the conditional zoning amendment request on August 7, 2024. The roadway cross section being proposed is 28’ verses the 60’ right of way. The sections crossed out are the approved conditions from September 2023 that are being revised with the new proposed condition, the verbiage in red.

**Here is a summary of the proposed changes (in red):**

1. **59 lots**, instead of 78 single family lots. Please view Attachment 3.
2. Developer to provide 60' undisturbed buffer along existing lots along McNeill Street (all buffer to be dedicated to Town as Open Space) **as depicted on the Preliminary Plat. Developer to provide 30' undisturbed buffer along McNeill Street (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat.**
3. ~~Developer to provide 30' undisturbed buffer along existing lots along McNeill Street and Rockingham Street (all buffer to be dedicated to Town as Open Space).~~ **Developer to provide 30' undisturbed buffer along existing lots of the eastern property line (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat.**
4. ~~Developer will NOT "mass grade" the development, but only grade for the roadway, infrastructure, and houses.~~ **Developer will only mass grade for infrastructure, homes, and stormwater management as necessary to ensure positive drainage for the subdivision. Mass grading of other areas of the subdivision will not be allowed.**
5. **Roadway typical cross-section of 28' back-to-back as depicted on Preliminary Plat. This includes two 12' lanes with 2' rolled (valley) concrete curbing on each side.**
6. **Lots shall have a minimum of 30' long by 20' wide concrete driveway from the property line to the house with exception of corner lots that may be allowed 15' long by 20' wide concrete driveway depending on home orientation. Driveways will then extend from property line to back of curb.**

**IV. PLANNING BOARD RECOMMENDATIONS:**

- a. The Planning Board recommends approving the proposed conditional zoning request. All ayes.

**V. ATTACHMENTS PROVIDED BY THE APPLICANT:**

1. Attachment 1: ORD 23.19
2. Attachment 2: Proposed changes for the approved ORD 23.19
3. Attachment 3: Preliminary Plat: Overall Subdivision Layout Plan

**VI. BOARD OF COMMISSIONERS ACTION:**

**FIRST:** Open and Conduct the Public Hearing. Ask for comments. Please have each person come forward to the podium and state their name and address.

The Board of Commissioners (BOC) shall conduct a public hearing regarding the petition per Article 5, Section 100.42 of the Town of Carthage Unified Development Ordinance (UDO).

**SECOND:** Close the Public Hearing!!! \*\*\* Once the public hearing is CLOSED, there are no more public comments allowed! You may discuss your comments with each other (the BOC) after the public hearing is closed, for comments, from the public.

**THIRD:** Adopt 1<sup>st</sup> motion- **LUP CONSISTENCY MOTION**

**FOURTH:** Adopt 2<sup>nd</sup> motion- **PETITION MOTION**

The Board of Commissioners shall set a date for public hearing of any petition for amendment per UDO Section 100.42 and 100.44. The Board of Commissioners shall conduct a public hearing regarding the petition. The Planning Board recommendation and Statement of Consistency shall be provided to the Board of Commissioners.

The Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

**LUP CONSISTENCY MOTION** (1<sup>st</sup> Required Motion)

**I move to:**

**OPTION 1**

Approve the conditional zoning amendment and describe its consistency with the adopted Land Use Plan.

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**or**

**OPTION 2**

Reject the conditional zoning amendment and describe its inconsistency with the adopted Land Use Plan

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**or**

**OPTION 3**

Approve the conditional zoning amendment and deem it a modification of the adopted Land Use Plan. The Board believes this action taken is reasonable and in the public interest because.....

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**VII. PETITION MOTION (2<sup>ND</sup> Required Motion)**

**And, therefore, I move to:**

**OPTION 1**

Approve CZ-05-24 as written and presented.

**or**

**OPTION 2**

Approve CZ-05-24 conditionally with the following modifications.....

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**OPTION 3**

Deny CZ-05-24 for the following reasons.....

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# Town of Carthage

## Ordinance No. ORD.23.19

Amending the Town of Carthage Official Zoning Map and Text for the development known as McNeill Ridge Subdivision, Parcel (PARID) 20070720, from R-20 (Residential) to R-10 CZ (Residential Conditional Zoning) as It Pertains to the Unified Development Ordinance in Section 100.42 "Types of Amendments" and Section 100.44 (5) "Amendment Procedure for Text Amendments and Map Amendments- Board of Commissioners"

**WHEREAS**, the Board of Commissioners of the Town of Carthage adopted Zoning Ordinance is for the purpose of regulating planning and development in the Town of Carthage and the extraterritorial area over which it has jurisdiction; and

**WHEREAS**, said Ordinance may be amended as circumstances of the community and property change; and

**WHEREAS**, the Town of Carthage represented by Planning Staff requested to update the zoning ordinance map and text for Section 100.42 "Types of Amendments" and Section 100.44 (5) "Amendment Procedure for Text Amendments and Map Amendments- Board of Commissioners"; and

**WHEREAS**, the zoning ordinance text and map amendment request was duly advertised for an open meeting before the Town of Carthage Planning Board at 6:30pm on Thursday, September 07, 2023, and after consideration the Planning Board with a motion of 5-0 recommended approval of the zoning ordinance map and text amendment with the condition that a Traffic Impact Analysis (TIA) be completed with approval; and

**WHEREAS**, a public hearing was held at a regular meeting of the Town of Carthage Board of Commissioners on Monday, September 18, 2023 at 6:30 pm in the McDonald Building, 207 McReynolds Street, after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Town of Carthage, and its extraterritorial jurisdiction.

**WHEREAS**, the Board of Commissioners have reviewed this zoning map and text amendment with consistency with the 2040 Town of Carthage Land Use Plan; and

**WHEREAS**, the Board of Commissioners, after considering all of the facts and circumstances surrounding the zoning ordinance map and text amendment, have determined that it is in the best interest of the Town of Carthage that the Zoning Ordinance map and text be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF CARTHAGE BOARD OF COMMISSIONERS THAT:**

The Zoning Map of the Town of Carthage is hereby amended by rezoning Parcel (PARID) 20070720 which is 32.01 acres, from R-20 (Residential) to R-10 CZ (Residential Conditional Zoning) with the following conditions below:

1. 78 single-family lot subdivision.
2. Proposed Zoning R-10 CZ (min. 10,000 sf lots).
3. Side setbacks of 10' and Corner Side setbacks of 15'.
4. Valley concrete curbing and 60 foot right of way (ROW).
5. Sidewalks on one side of the roadway.
6. 75' minimum lot width.
7. Developer to provide 60' undisturbed buffer along existing lots along McNeill Street (all buffer to be dedicated to Town as Open Space).
8. Developer to provide 30' undisturbed buffer along existing lots along McNeill Street and Rockingham Street (all buffer to be dedicated to Town as Open Space).
9. Developer will NOT "mass-grade" the development, but only grade for the roadway, infrastructure, and houses.

10. Developer to pay for the design of the waterline from Loyd Lane to the Northeast fire hydrant located on the north side of Rockingham Street in front of Carthage Elementary School.
11. Developer to provide the Town with a \$100,000 development fee for the Town to put to the construction of the waterline from Loyd Land to the fire hydrant in front of Carthage Elementary School, OR to whatever the Town sees fit to fund.
12. The Developer will not pay for the waterline construction and its appurtenances from Loyd Lane to the fire hydrant located in front of Carthage Elementary School.
13. The developer will pay for the design and construction of the waterline from Loyd Land to McNeill Street.

Ordained this 18<sup>th</sup> day of September 2023.

  
Jimmy Chalflinch, Mayor

ATTEST:

  
Kimberly Gibson, Town Clerk





# Town of Carthage

## Land Use Plan Consistency Statement

FOR PROPOSED R-20 CONDITIONAL ZONING FROM R-20 FOR MCNEILL RIDGE SUBDIVISION (78 SINGLE FAMILY LOTS) PARCEL ID #20070720

**WHEREAS**, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

**NOW THEREFORE**, the Board of Commissioners of the Town of Carthage resolves as follows:

**Section 1.** The Board concludes that the above-described amendment(s) are consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

**Goal 2: Coordinated, intentional, and well-planned growth and development.**

**Goal 3: Protection of open space and critical natural features.**

*The applicant, Kirby Holding Group, LLC, submitted a conditional zoning request, at the invitation of the Board of Commissioners (BOC) to waive the fee, after the duplexes for this parcel (as a by right use) were approved in June 2023. This project consists of 78 single family lots and is located at PARID 20070720. The current zone is R-20. The applicant requests an R-20 CZ. The R-20 zone permits the land use for single family homes and duplexes.*

**Section 2.** Please state the Board’s reasonings/findings for the **approval** of this consistency statement based on the above selected goals with the following recommended conditions: \_\_\_\_\_ Goal

#1 – Single-family homes

Goal #2 – Feed into the water loop to improve the water quality of neighborhood.

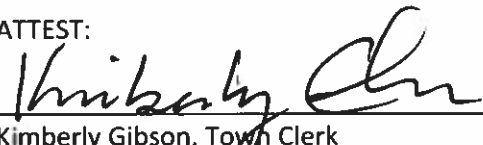
Goal #3 – Provides buffers to maintain natural features

**To provide a Traffic Impact Analysis for the development of McNeill Ridge.**

**Section 2.** The Board of Commissioners concludes that the above-described amendment(s) are reasonable and in the public interest as they **do** fulfill a direct objective of the Land Use Plan.

This statement adopted the 18th day of September 2023.

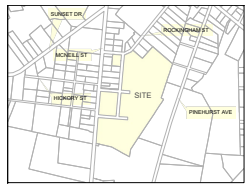
ATTEST:

  
\_\_\_\_\_  
Kimberly Gibson, Town Clerk

  
\_\_\_\_\_  
Jimmy Chalflinch, Mayor







**REFERENCE:**

Deed Book 4164, Page 222  
Moore County Registry

**OWNER/DEVELOPER:**

DKC PROPERTIES, LLC  
675 BENNETT STE 4  
SOUTHERN PINES, NC 28387

I, A. Scott Matthews, certify that this plat was drawn under my supervision from an actual survey performed under my supervision (field description recorded in Book 2322, page 222, 461); that the boundaries not surveyed are clearly indicated as drawn from information as indicated; that the ratio of precision as calculated is 1:30,000; that this plat was prepared accordance to G.S. 17-38 as amended; that the Global Positioning System (GPS) survey and the following information was used to perform the GPS survey:

- (1) Class of survey: Class A
- (2) Precision accuracy: 2.5:1
- (3) Type of GPS field procedure: Online Position User Service (Real-Time)
- (4) Dates of survey: 03/23/22
- (5) Datum/Epoch: NAD83(2011)
- (6) Published/proposed law: OPUS
- (7) Default model: GEOID12B
- (8) Combined grid factors: 0.00000022
- (9) Units: US Survey Feet

Scale Point: N 57781.58248 E 187459.76577

Horizontal positions are referenced to NAD83(2011)

Vertical positions are referenced to NAVD83 using GEOID12B

Witness my original signature and seal this 21st day of August 21, 2022.

L-4181  
Professional Land Surveyor



**GENERAL NOTES:**

1. This map is not in accordance with GS 47-30.
2. Area by coordinate method.
3. All distances are horizontal ground distance.
4. Dashed lines not surveyed, drawn from information as indicated.
5. This property is not a water supply watershed.
6. All adjoining properties currently Zoned R-20 per Town of Carthage.
7. The subdivision will be served by public water supply by Town of Carthage.
8. The subdivision will be served by public sanitary sewer by the Town of Carthage.
9. No wetlands located on property.
10. Property does NOT lie in a FEMA Flood Hazard Zone, according to FIRM 5705500072 (Zone X).
11. Grading to meet NCDOT and Town of Carthage requirements for intersection grades and roadway alignments.
12. All Proposed Utility and Drainage Easements are 20' unless noted otherwise.

**Legend:**

- Iron Pipe Found
- Iron Rod Found
- Concrete Monument Found
- Concrete Monument bar
- PK Nail Found
- PK Nail Set
- AG - Above Ground
- AG - Below Ground
- Sewer Manhole
- Fire Hydrant
- Water Valve
- Water Meter
- Telephone Pedestal
- Cable Pedestal
- Fiber Shut Out
- Light Pole
- Utility Pole
- IMC
- Electrical Transformer
- Sign
- Sprinkler Head
- Compacted Metal Pipe
- Reinforced Concrete Pipe
- Curb Inlet
- Storm Clean Manhole
- 2" Pipe Tree (Typ.)
- 12" Pipe Tree (Typ.)
- Existing Tree to be Retained
- Existing Boundary Line
- Boundary Lines not Surveyed
- Existing Center Line
- Building Setback Line
- Existing Fenceline
- Existing Easement
- Existing Overhead Utilities
- Existing Underground Utilities
- Existing Right of Way
- Existing Easement
- Existing Wetlands
- Limits of Disturbance
- Existing Stream

NOTE: ALL LOTS ON McNEILL ST. TO BE ACCESSED IN THE SUBDIVISION AND NOT ON McNEILL ST. PER NCDOT RIGHT DISTANCE TRIANGLES (10' X 70') APPLIES ON LOYD ROADWAY CONNECTION.

**Certificate of Preliminary Major Plat Approval**

I hereby certify that the Town of Carthage Board of Commissioners approved on the day of \_\_\_\_\_, 2022 the preliminary plan of the subdivision as shown on this plat. Preliminary approval is valid for a period of 24 months from the date or as established under the vest rights procedures, if applicable.

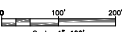
Subdivision Administrator \_\_\_\_\_ Date \_\_\_\_\_

**Storm Water Control Statement**

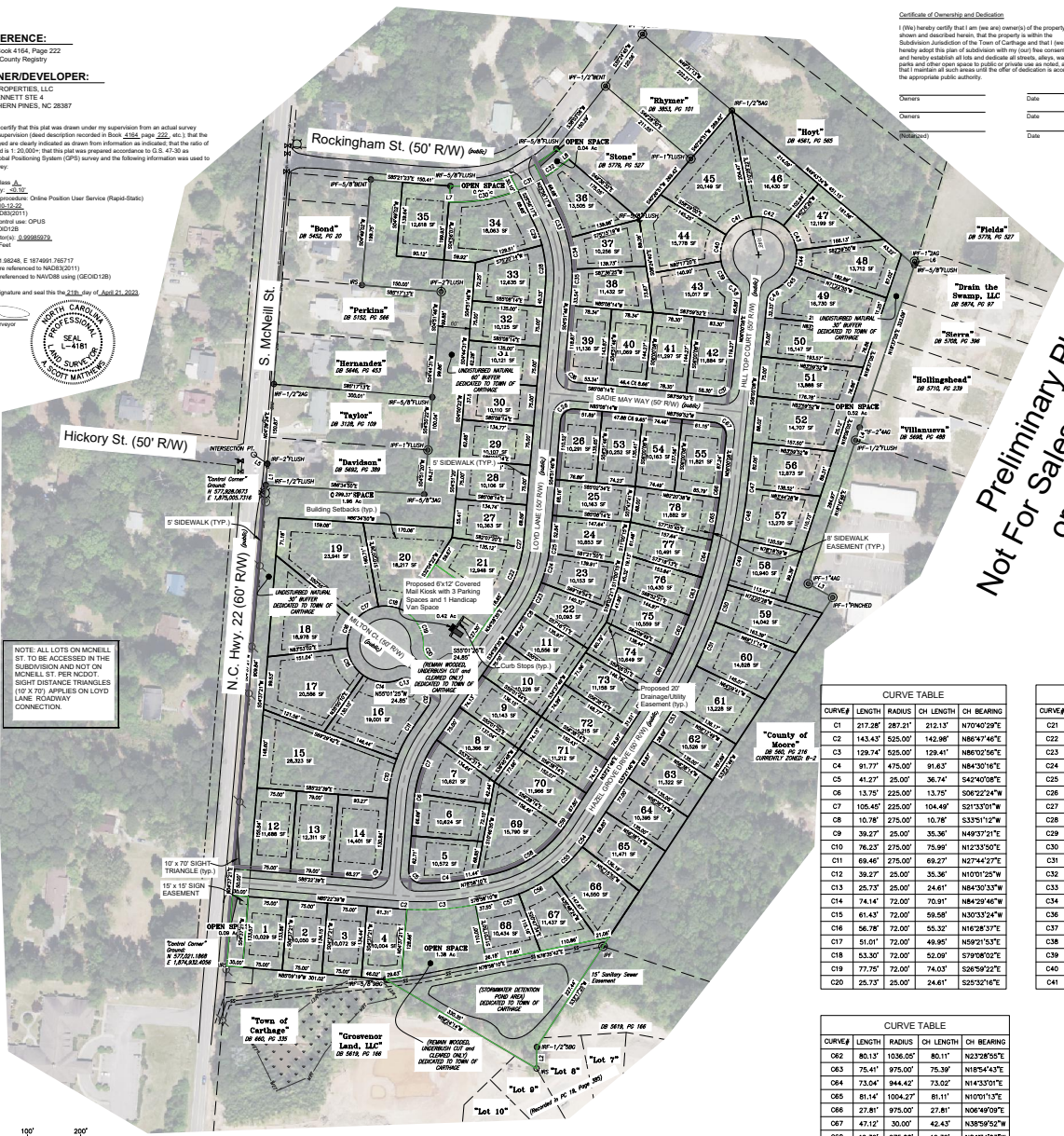
I hereby certify that the address of the property owner and described herein has stormwater management systems designed and constructed to NCDOT, DEQ, or Town of Carthage standards, as appropriate.

Licensed Professional \_\_\_\_\_ License Number \_\_\_\_\_ Date \_\_\_\_\_

Preliminary Plat for:  
**The Kirby Construction Group, LLC**  
**McNeill Ridge Subdivision**  
**32.14 Acres**  
**78 Lots - Single-Family Subdivision**  
Carthage Township, Moore County  
Carthage, North Carolina  
July 17, 2023 - Project# 22026  
Scale= 1"= 100'  
Drawn: ASM  
SHEET 02



**SUBDIVISION LAYOUT PLAN**



**Certificate of Ownership and Dedication**

I (We) hereby certify that I am (we are) owner(s) of the property shown and described herein, that the property is within the Subdivision Jurisdiction of the Town of Carthage and that I (We) hereby adopt the plan of subdivision with my (our) best consent and hereby establish all lots and dedications of streets, water, sewer, gas, and other open space to public or private use as noted, and that I (we) and all successors in title of the property will accept the appropriate public authority.

State of North Carolina  
County of Moore

I, \_\_\_\_\_, Review Officer of Moore County, do hereby certify that the map or plat to which this certification is affixed meets the requirements for recording.

Owner \_\_\_\_\_ Date \_\_\_\_\_  
Owner \_\_\_\_\_ Date \_\_\_\_\_  
Owner \_\_\_\_\_ Date \_\_\_\_\_

Review Officer \_\_\_\_\_ Date \_\_\_\_\_

**SITE DATA:**

SITE JURISDICTION	TOWN OF CARTHAGE
ADDRESS	MORRILL/ROCKINGHAM ST.
PARCELS ID #	2007070
MAP BOOK & PAGE	BOOK 13, PAGE 885
DEED BOOK & PAGE	BOOK 4164, PAGE 222
CURRENT ZONING	R-20 (CONDITIONS MIN. 10,000 SF)
LINEAR FEET OF STREETS:	
LOYD LANE	1,453 LF
MILTON CT	230 LF
SABE MAY WAY	385 LF
HAZEL GROVE DRIVE	1,553 LF
HILLTOP CT.	370 LF
MIN. LOT WIDTH: 100'	CONDITIONS 70' MIN. LOT WIDTH
MIN. LOT AREA ON PLAN	LOT 4 (10,004 SF)
AVERAGE LOT SIZE	12,701 SF
TOTAL LOTS:	78 SINGLE-FAMILY LOTS
FRONT:	30'
REAR:	15'
CORNER SIDES:	25'
CONDITIONS SIDE SETBACK 10'	
CONDITIONS CORNER SIDE SETBACKS 10'	
TOTAL ACRES:	32.14 ACRES
AREA IN PROPOSED RW:	4.99 ACRES
LESS PROPOSED RW:	27.25 ACRES
OPEN SPACE PROVIDED:	4.08 ACRES (12.7% 5% Min.)

1. A. Scott Matthews, a Professional Land Surveyor, L-4181, certifies to one or more of the following as indicated:
- (K) A. That this plat is a survey that created a subdivision of land within the area of the county or municipality that has an ordinance that regulates parcels of land.

L-4181  
Professional Land Surveyor

Registration Number \_\_\_\_\_ Date \_\_\_\_\_



CURVE#	LENGTH	RADIUS	CH LENGTH	CH BEARING
C1	217.28	287.21	213.13	N70°40'29"E
C2	143.43	525.00	142.98	N86°47'46"E
C3	129.74	525.00	129.41	N85°02'56"E
C4	91.77	475.00	91.63	N84°30'16"E
C5	41.27	25.00	36.74	S42°40'08"E
C6	13.75	225.00	13.75	S89°22'24"W
C7	105.45	225.00	104.49	S21°33'01"W
C8	10.78	275.00	10.78	S33°51'12"W
C9	39.27	25.00	35.36	N49°37'21"E
C10	76.23	275.00	75.99	N23°33'00"E
C11	69.46	275.00	69.27	N27°44'27"E
C12	39.27	25.00	35.36	N10°01'25"W
C13	25.73	25.00	24.61	N84°30'33"W
C14	74.14	72.00	70.91	N84°29'46"W
C15	61.43	72.00	59.58	N30°33'24"W
C16	56.78	72.00	55.32	N16°28'37"E
C17	51.01	72.00	49.95	N59°21'53"E
C18	53.30	72.00	52.09	S70°08'02"E
C19	77.75	72.00	74.03	S26°59'22"E
C20	25.73	25.00	24.61	S25°32'16"E

CURVE#	LENGTH	RADIUS	CH LENGTH	CH BEARING
C21	39.27	25.00	35.36	N79°58'35"E
C22	106.42	225.00	105.47	N21°25'38"E
C23	57.81	275.00	57.71	S26°42'27"W
C24	57.82	285.15	57.72	S14°39'36"W
C25	18.11	246.85	18.11	S06°44'58"W
C26	47.12	350.00	42.43	S49°07'46"W
C27	11.84	225.00	11.84	N69°21'25"E
C28	76.48	225.00	76.31	N04°54'00"W
C29	44.28	225.00	44.21	S20°10'02"E
C30	131.57	317.21	130.63	N80°23'43"E
C31	50.50	317.21	50.00	N64°03'43"E
C32	58.30	317.21	58.27	N54°16'19"E
C33	53.73	275.00	53.64	N20°20'29"W
C34	59.28	275.00	52.61	S08°34'08"E
C35	39.27	25.00	35.36	S40°08'14"E
C36	39.27	25.00	35.36	N51°00'08"E
C37	39.27	25.00	35.36	N10°29'01"W
C38	44.36	72.00	43.08	N31°29'21"W
C39	44.36	72.00	43.08	N31°29'21"W
C40	51.81	72.00	50.70	N10°54'10"E
C41	60.33	72.00	58.58	N50°31'19"E

CURVE#	LENGTH	RADIUS	CH LENGTH	CH BEARING
C42	63.77	72.00	61.71	S75°05'58"E
C43	53.69	72.00	52.45	S28°21'52"E
C44	32.20	72.00	31.31	S00°48'28"W
C45	58.25	72.00	56.88	S41°47'45"W
C46	25.73	25.00	24.61	S35°29'16"W
C47	4.59	1025.00	4.59	S09°07'50"W
C48	97.05	1025.00	97.01	S28°58'17"W
C49	89.01	1025.00	88.98	S14°01'17"W
C50	74.31	1025.00	74.29	S19°44'09"W
C51	89.91	1025.00	89.88	S23°19'32"W
C52	88.52	1025.00	88.49	S28°16'45"W
C53	46.09	1025.00	46.00	S35°04'28"W
C54	218.90	275.00	213.16	N56°09'58"E
C55	218.90	275.00	213.16	N56°09'58"E
C56	71.94	275.00	71.74	S61°16'14"W
C57	46.98	275.00	46.92	S74°04'33"W
C58	168.38	225.00	165.41	N57°19'41"E
C59	9.72	225.00	9.72	N34°26'01"E
C60	47.58	808.35	47.58	N31°57'52"E
C61	80.49	1040.70	80.47	N28°12'05"E

CURVE#	LENGTH	RADIUS	CH LENGTH	CH BEARING
C62	80.13	1036.00	80.11	N23°28'50"E
C63	75.41	975.00	75.39	N18°54'43"E
C64	73.04	944.42	73.02	N14°33'01"E
C65	81.14	1004.27	81.11	N10°01'13"E
C66	27.81	975.00	27.81	N08°49'09"E
C67	47.12	30.00	42.43	N38°59'52"W
C68	19.39	975.00	19.39	N84°34'03"W
C69	20.38	1025.00	20.38	S84°34'03"E

LINE#	LENGTH	BEARING
L1	40.31	S04°30'07"W
L2	40.31	S00°46'42"E
L3	52.79	S60°40'09"E
L4	25.03	N18°06'05"E
L5	30.87	N50°43'42"W
L6	7.41	N01°02'54"E
L7	1.36	S87°39'17"E
L8	4.54	N49°00'08"E



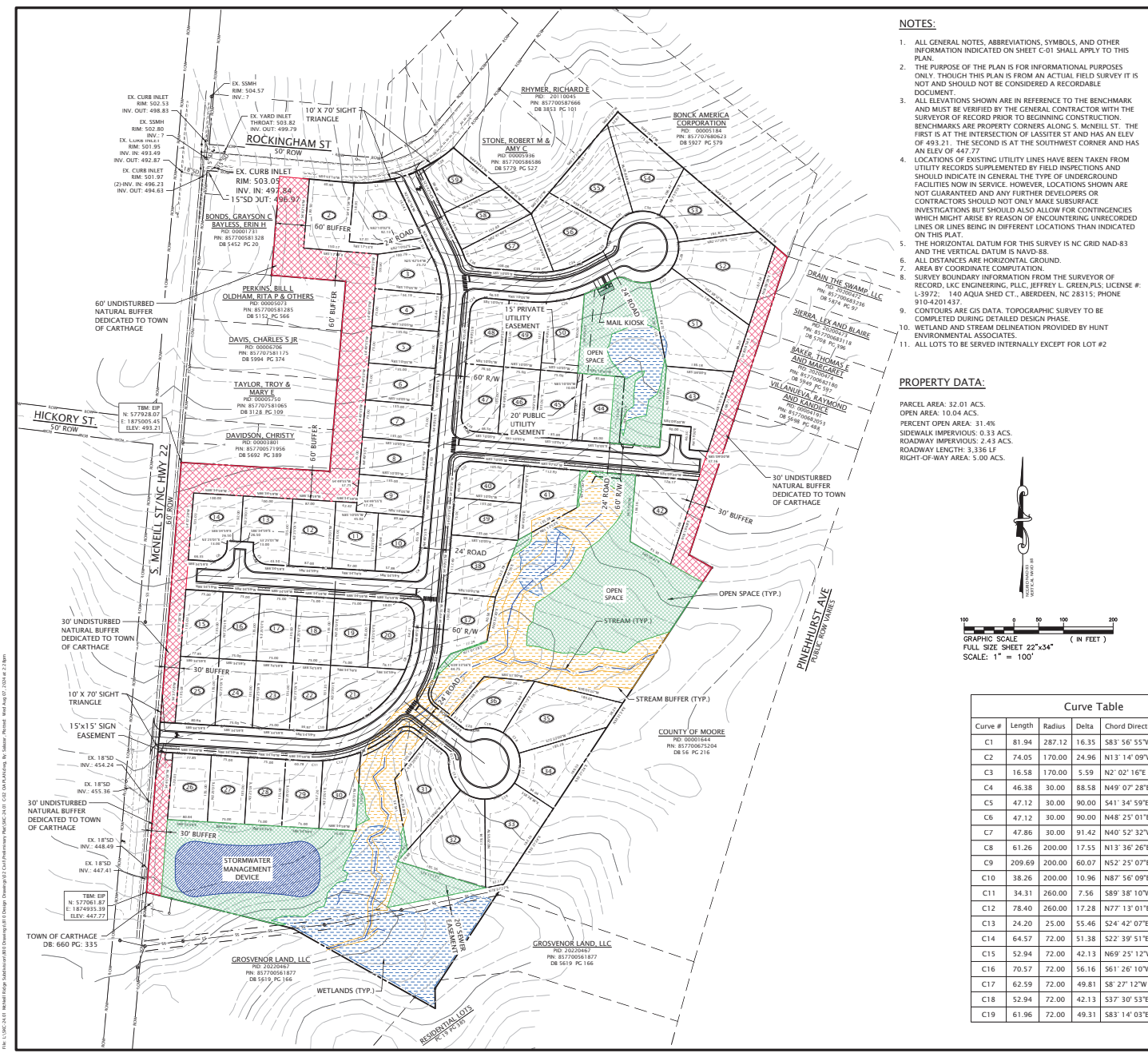
**ASM ENGINEERING, PLLC**  
CIVIL ENGINEERING - LAND SURVEYING - PLANNING  
2248 Jost Rd  
Carthage, NC 28327  
Firm License # P-2022  
910-791-3070  
asm@asmengineering.net

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1. ~~78~~ 59 single-family lot subdivision.
2. Proposed Zoning R-10 CZ (min. 10,000 sf lots).
3. Side setbacks of 10' and Corner Side setbacks of 15'.
4. Valley concrete curbing and 60 foot right of way (ROW).
5. Sidewalks on one side of the roadway.
6. 75' minimum lot width.
7. Developer to provide 60' undisturbed buffer along existing lots along McNeill Street (all buffer to be dedicated to Town as Open Space) **as depicted on the Preliminary Plat. Developer to provide 30' undisturbed buffer along McNeill Street (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat.**
8. ~~Developer to provide 30' undisturbed buffer along existing lots along McNeill Street and Rockingham Street (all buffer to be dedicated to Town as Open Space).~~ **Developer to provide 30' undisturbed buffer along existing lots of the eastern property line (all buffer to be dedicated to Town as Open Space) as depicted on the Preliminary Plat .**
9. ~~Developer will NOT "mass grade" the development, but only grade for the roadway, infrastructure, and houses.~~ **Developer will only mass grade for infrastructure, homes, and stormwater management as necessary to ensure positive drainage for the subdivision. Mass grading of other areas of the subdivision will not be allowed.**
10. Developer to pay for the design of the waterline from Loyd Lane to the Northeast fire hydrant located on the north side of Rockingham Street in front of Carthage Elementary School.
11. Developer to provide the Town with a \$100,000 development fee for the Town to put to the construction of the waterline from Loyd Land to the fire hydrant in front of Carthage Elementary School, OR to whatever the Town sees fit to fund.
12. The Developer will not pay for the waterline construction and its appurtenances from Loyd Lane to the fire hydrant located in front of Carthage Elementary School.
13. The developer will pay for the design and construction of the waterline from Loyd Land to McNeill Street.
14. **Roadway typical cross-section of 28' back-to-back as depicted on Preliminary Plat. This includes two 12' lanes with 2' rolled (valley) concrete curbing on each side.**

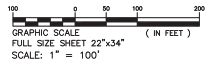
15. Lots shall have a minimum of 30' long by 20' wide concrete driveway from the property line to the house with exception of corner lots that may be allowed 15' long by 20' wide concrete driveway depending on home orientation. Driveways will then extend from property line to back of curb.





- NOTES:**
1. ALL GENERAL NOTES, ABBREVIATIONS, SYMBOLS, AND OTHER INFORMATION INDICATED ON SHEET C-01 SHALL APPLY TO THIS PLAN.
  2. THE PURPOSE OF THE PLAN IS FOR INFORMATIONAL PURPOSES ONLY. THOUGH THIS PLAN IS FROM AN ACTUAL FIELD SURVEY IT IS NOT AND SHOULD NOT BE CONSIDERED A RECORDABLE DOCUMENT.
  3. ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR WITH THE SURVEYOR OF RECORD PRIOR TO BEGINNING CONSTRUCTION. BENCHMARKS ARE PROPERTY CORNERS ALONG S. MCNEILL ST. THE FIRST IS AT THE INTERSECTION OF LASSITER ST AND HAS AN ELEV. OF 493.21. THE SECOND IS AT THE SOUTHWEST CORNER AND HAS AN ELEV. OF 447.77.
  4. LOCATIONS OF EXISTING UTILITY LINES HAVE BEEN TAKEN FROM UTILITY RECORDS SUPPLEMENTED BY FIELD INSPECTIONS AND SHOULD INDICATE IN GENERAL THE TYPE OF UNDERGROUND FACILITIES NOW IN SERVICE. HOWEVER, LOCATIONS SHOWN ARE NOT GUARANTEED AND ANY FURTHER DEVELOPERS OR CONTRACTORS SHOULD NOT ONLY MAKE SUBSURFACE INVESTIGATIONS BUT SHOULD ALSO ALLOW FOR CONTINGENCIES WHICH MIGHT ARISE BY REASON OF ENCOUNTERING UNRECORDED LINES OR LINES BEING IN DIFFERENT LOCATIONS THAN INDICATED ON THIS PLAN.
  5. THE HORIZONTAL DATUM FOR THIS SURVEY IS NC GRID NAD-83 AND THE VERTICAL DATUM IS NAVD-88.
  6. ALL DISTANCES ARE HORIZONTAL GROUND.
  7. AREA BY COORDINATE COMPUTATION.
  8. SURVEY BOUNDARY INFORMATION FROM THE SURVEYOR OF RECORD, LKC ENGINEERING, PLLC, JEFFREY L. GREEN'S; LICENSE # L-3972. 140 AQUA SHED CT., ABERDEEN, NC 28315; PHONE 910-4201437.
  9. CONTOURS ARE GIS DATA. TOPOGRAPHIC SURVEY TO BE COMPLETED DURING DETAILED DESIGN PHASE.
  10. WETLAND AND STREAM DELINEATION PROVIDED BY HUNT ENVIRONMENTAL ASSOCIATES.
  11. ALL LOTS TO BE SERVED INTERNALLY EXCEPT FOR LOT #2

**PROPERTY DATA:**  
 PARCEL AREA: 32.01 ACS.  
 OPEN AREA: 10.04 ACS.  
 PERCENT OPEN AREA: 31.4%  
 SIDEWALK IMPERVIOUS: 0.33 ACS.  
 ROADWAY IMPERVIOUS: 2.43 ACS.  
 ROADWAY LENGTH: 3,336 LF  
 RIGHT-OF-WAY AREA: 5.00 ACS.



REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PARCEL AREA TABLE		
PARCEL #	AREA (SF)	AREA (ACRES)
1	14,264.37	0.33
2	15,715.94	0.36
3	10,010.82	0.23
4	10,120.55	0.23
5	10,125.00	0.23
6	10,125.00	0.23
7	10,125.00	0.23
8	10,125.00	0.23
9	10,125.00	0.23
10	10,049.04	0.23
11	10,947.65	0.25
12	11,745.00	0.27
13	12,167.36	0.28
14	12,359.42	0.28
15	10,317.06	0.24
16	10,125.00	0.23
17	10,125.00	0.23
18	10,125.00	0.23
19	10,125.00	0.23
20	11,368.43	0.26
21	13,560.34	0.31
22	10,078.91	0.23
23	10,125.00	0.23
24	10,125.00	0.23
25	10,701.17	0.25
26	10,677.13	0.25
27	10,125.00	0.23
28	10,125.00	0.23
29	10,150.74	0.23
30	10,957.95	0.25

PARCEL AREA TABLE		
PARCEL #	AREA (SF)	AREA (ACRES)
31	16,140.28	0.37
32	20,283.52	0.47
33	17,153.46	0.39
34	14,062.72	0.32
35	19,860.72	0.46
36	11,579.25	0.27
37	10,572.84	0.24
38	13,766.86	0.32
39	10,125.00	0.23
40	10,066.86	0.23
41	12,691.74	0.29
42	16,598.05	0.38
43	16,359.58	0.38
44	11,475.00	0.26
45	11,475.00	0.26
46	10,125.00	0.23
47	10,134.36	0.23
48	10,134.36	0.23
49	10,155.63	0.23
50	11,003.02	0.25
51	26,639.92	0.61
52	23,070.52	0.53
53	14,583.96	0.33
54	16,751.09	0.38
55	17,435.89	0.40
56	15,088.45	0.35
57	13,001.89	0.30
58	11,209.37	0.26
59	10,403.18	0.24

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	81.94	287.12	16.35	S83° 56' 55"W	81.67
C2	74.05	170.00	24.96	N13° 14' 09"W	73.47
C3	16.58	170.00	5.59	N2° 02' 16"E	16.58
C4	46.38	30.00	88.58	N49° 07' 28"E	41.90
C5	47.12	30.00	90.00	S41° 34' 59"E	42.43
C6	47.12	30.00	90.00	N48° 25' 01"E	42.43
C7	47.86	30.00	91.42	N40° 52' 32"W	42.95
C8	61.28	200.00	17.55	N13° 36' 26"E	61.02
C9	209.69	200.00	60.07	N52° 25' 07"E	200.22
C10	38.26	200.00	10.96	N87° 56' 09"E	38.21
C11	34.31	260.00	7.56	S89° 38' 10"W	34.29
C12	78.40	260.00	17.28	N77° 13' 01"E	78.10
C13	24.20	25.00	55.46	S24° 42' 07"E	23.26
C14	64.57	72.00	51.38	S22° 39' 51"E	62.43
C15	52.94	72.00	42.13	N69° 25' 12"W	51.76
C16	70.57	72.00	56.16	S61° 26' 10"W	67.78
C17	62.59	72.00	49.81	S8° 27' 12"W	60.64
C18	52.94	72.00	42.13	S37° 30' 53"E	51.76
C19	61.96	72.00	49.31	S83° 14' 03"E	60.07

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C20	24.20	25.00	55.46	S80° 09' 36"E	23.26
C21	57.62	260.00	12.70	S11° 10' 51"W	57.50
C22	47.12	30.00	90.00	S49° 49' 55"W	42.43
C23	47.12	30.00	90.00	S40° 10' 05"E	42.43
C24	47.12	30.00	90.00	N49° 49' 55"E	42.43
C25	36.37	260.00	8.01	N89° 10' 31"W	36.34
C26	78.59	260.00	17.32	S78° 09' 28"W	78.29
C27	53.38	72.00	42.46	S57° 35' 03"W	52.15
C28	55.16	72.00	43.90	S14° 24' 14"W	53.82
C29	68.94	72.00	54.86	S34° 58' 24"E	66.33
C30	54.99	72.00	43.76	S84° 16' 55"E	53.66
C31	54.99	72.00	43.76	N51° 57' 30"E	53.66
C32	30.04	72.00	23.91	N18° 07' 26"E	29.83
C33	24.20	25.00	55.46	N33° 53' 55"E	23.26
C34	70.04	200.00	20.06	N71° 39' 36"E	69.68
C35	45.87	200.00	13.14	N88° 15' 44"E	45.77
C36	34.46	30.00	65.82	S52° 15' 28"E	32.60
C37	17.31	230.00	4.31	S21° 30' 12"E	17.30
C38	75.21	287.12	15.01	S56° 13' 04"W	75.00

PRELIMINARY PLAT:  
 OVERALL SUBDIVISION  
 LAYOUT PLAN

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

LKC Engineering, PLLC  
 140 Aqua Shed Court  
 Aberdeen, NC 28315  
 P. 910.420.1437  
 F. 910.420.1437  
 lic@lkcengineering.com  
 License No. P-1095

Engineering  
 Landscapes Architecture  
 Surveying

**LKC**

Carthage, North Carolina

DATE: AUGUST, 2024  
 DESIGNED: PWH  
 DRAWN: BS  
 CHECKED: PAP  
 NO.

**C-02**



## MEMORANDUM

Date: September 16, 2024  
To: The Board of Commissioners  
From: Jennifer Hunt, Town Planner  
Subject: Needmore Community Sign- Final Design

---

It is time for the Board of Commissioners to choose which sign they think is best for the Needmore Community. Town Staff went into the Needmore Community on July 31, 2024, and set up a tent from 9am to 12pm to help gather community input in the community on which sign they think is best. There were several community members who stopped by to help gather community input. Cheryl Degraffenreid, who lives in the Needmore community, stayed with staff the whole time and really helped solicit participation from community members.

The sign that was most favored on July 31, 2024, and during the online survey, which was open for one week, is the picture called "Picture 5" in Attachment 1. At the community input meeting on July 31, 2024, there were some community members that wanted to add the slogan "A Family Friendly Community" underneath the Needmore letters as well as possibly replace the white flower with something that is more related to Carthage, such as a buggy.

Therefore, the final four designs are in Attachment 1 labeled "Picture 1- Picture 4" with an attempt to combine all the comments heard from the public input meeting on July 31, 2024. To reiterate, "Picture 5" was the one most favored from the community input meeting on July 31, 2024.

### **VOTE:**

Sign which is the best option? Picture 1, Picture 2, Picture 3, Picture 4, or Picture 5: \_\_\_\_\_













(most favored at community input meeting 7/31/24)





## MEMORANDUM

Date: September 12, 2024  
To: The Board of Commissioners  
From: Kim Gibson, Town Clerk  
Subject: Request for Replacement of Marker at Cross Hill Cemetery

---

Mrs. Helen McDonald and her sister, Jane Ritter are requesting the Town of Carthage pay to replace their family headstone that they claim was damaged by the maintenance equipment during the mowing of the cemetery.

### SUGGESTED MOTION(S)

#### OPTION 1

I make a motion to approve the requested replacement of the headstone as presented by Mrs. McDonald.

#### OPTION 2

I make a motion to approve the requested replacement of the headstone as presented by Mrs. McDonald with the following changes:

---

---

#### OPTION 3

I make a motion to disapprove this the requested replacement of the headstone for the following reasons:

---

---

## Kim Gibson

---

**From:** Emily D. Yopp  
**Sent:** Friday, September 6, 2024 2:09 PM  
**To:** Kim Gibson; Allen Smith  
**Subject:** McDonald Headstone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kim – See below email conversation regarding Ms. McDonald’s request that the Town pay for the headstone. Please schedule her request to seek a decision from the Board as an agenda item and contact her directly with any questions or requests for information you may have to develop her agenda memo or other materials.

**Emily D. Yopp**  
Town Manager

☎ (910) 947-2331  
☎ (910) 585-5160  
4396 Hwy. 15 501, Carthage, NC 28327

**Public Records Notice:** Emails sent to and from this address are subject to the N.C. Public Records Laws and may be disclosed to third parties.

**From:** Helen McDonald <hmcd2946@gmail.com>  
**Sent:** Friday, September 6, 2024 2:03 PM  
**To:** Emily D. Yopp <townmanager@townofcarthage.org>  
**Subject:** Re: Waiting for your follow up

You don't often get email from [hmcd2946@gmail.com](mailto:hmcd2946@gmail.com). [Learn why this is important](#)

Ms. Yopp

We would like to discuss our concerns with the Board of Commissioners at the board meeting.  
Thank you Helen McDonald.  
Sent from my iPhone

On Aug 21, 2024, at 2:19 PM, Emily D. Yopp <[townmanager@townofcarthage.org](mailto:townmanager@townofcarthage.org)> wrote:

Good afternoon, Helen,

Please accept my apologies for the delayed response. Public Works Director, Allen Smith, was able to contact a company to look at the monument and determine if there was any assistance they could provide. Based on their response, they could perform a process to repair and/or diminish any chips and attempt to remove the marks on the face of the monument. This work is not guaranteed to restore the monument to like new condition but could improve the appearance as much as is possible with stone. We anticipate the cost for this work to be between \$300-\$500.

If you would like to request the Board of Commissioner’s consideration that the Town of Carthage pay for this work, please let me know and I will be happy to take this request to them for their review and

votes at their next regular meeting on September 16<sup>th</sup>. You are of course welcome to attend that meeting and speak to the Board on behalf of your request.

Thank you for your patience and I look forward to your response.

**Emily D. Yopp**  
Town Manager

☎ (910) 947-2331  
☎ (910) 585-5160  
4396 Hwy. 15 501, Carthage, NC 28327

**Public Records Notice:** Emails sent to and from this address are subject to the N.C. Public Records Laws and may be disclosed to third parties.

**From:** Helen McDonald <[hmcd2946@gmail.com](mailto:hmcd2946@gmail.com)>  
**Sent:** Monday, August 19, 2024 5:18 PM  
**To:** Emily D. Yopp <[townmanager@townofcarthage.org](mailto:townmanager@townofcarthage.org)>  
**Subject:** Waiting for your follow up

You don't often get email from [hmcd2946@gmail.com](mailto:hmcd2946@gmail.com). [Learn why this is important](#)

Kim and Ms. Yopp,

Thank you for the Cemetery Guidelines.

We were told in our meeting that the reason for the damage to the monument needed to be addressed and corrected before the stone was replaced. Jane and I have been waiting for you or Ms. Yopp or someone to reach out to us with answers. We left with the understanding that you were saving us a trip to the board meeting since it would be referred to you anyway. Has this been addressed? It has almost been a month and there is a board meeting tonight. Hopefully we will get answers soon. It has been much longer than a year since this was brought to the attention of the town. Dad had been to the town to discuss this issue before he passed. I came last August and now several times this summer as well as emails. We are hoping for answers soon.

We would also like to know the date of the next Board of Commissioners meeting and who to contact and how soon before the meeting we need to request to be placed on the agenda?

Thank you again!

Helen

On Mon, Aug 19, 2024 at 1:27 PM Kim Gibson <[townclerk@townofcarthage.org](mailto:townclerk@townofcarthage.org)> wrote:

Good afternoon, Ms. McDonald!

I am so sorry I missed you. I got the message from Maria but haven't had a moment to get back to you until now.

I have attached the Cemetery Guidelines for you and wanted to let you know that I did receive the email and have forwarded on to Allen Smith, Public Works Director, and Emily for further assistance. Mr. Smith has contacted a local monument provider to see if they can offer more information regarding the stone and its damage. We will be back in touch with you as soon as we hear back from them. I believe they were trying to find a time when they could come out and look at the stone to offer any possible solutions.

If you have any questions in the meantime, please let me know.

Thank you for your patience!

-----Original Message-----

From: Helen McDonald <[hmcd2946@gmail.com](mailto:hmcd2946@gmail.com)>

Sent: Monday, August 19, 2024 1:20 PM

To: Kim Gibson <[townclerk@townofcarthage.org](mailto:townclerk@townofcarthage.org)>

Subject: New cemetery covenants

[You don't often get email from [hmcd2946@gmail.com](mailto:hmcd2946@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Kim

I emailed you a while back and came by last week to get a copy since I had not heard back from you. I left a copy of my email. Could you please email me the new cemetery covenants? We only have a copy of the old ones.

Thanks!

Heken

Sent from my iPhone

Sent from my iPhone

# Kim Gibson

**From:** Helen McDonald <hmcd2946@gmail.com>  
**Sent:** Thursday, August 1, 2024 1:16 PM  
**To:** Kim Gibson  
**Subject:** Invoice

You don't often get email from hmcd2946@gmail.com. [Learn why this is important](#)

Kim,  
 Below is the invoice to replace the damaged monument and corner post. Please let me know if this is what you need. Also could you email me the new cemetery guideline/rules? We have the old ones.  
 Thanks!  
 Helen

**CHATHAM MONUMENT CO., INC.**  
 227 North Second Avenue  
 Star City, North Carolina 27344  
 Phone (919) 863-3120  
 Toll Free (888) 799-0385  
 www.chathammonument.com

Date: July 30, 2024 No. \_\_\_\_\_  
 In Agreement with: Helen McDonald & Jane Pitter  
 Street: \_\_\_\_\_ Phone: 910 690 2463  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 EMAIL: hmcd2946@gmail.com mj.pitter32@gmail.com

Crosshill CEMETERY  
 Carriage CITY AND STATE  
 MARKED BY: 5-01-420-4

TOP TAB SET FINISH BASE

MATERIAL: Georgia Gray Granite DESIGN NO. As Below LOCATION & LOT \_\_\_\_\_

\* Replace existing marker and 1 corner post that has been damaged

COY WILLIAM  
 APR. 30 1933  
 OCT. 19 2023

RUTH MARIE FULLER  
 FEB. 27 1932  
 DEC. 3 2012

**OAKLEY**

**PRICE SUMMARY**

MONUMENT	\$
FAMILY NAME ON BACK	
ADDITIONAL DESIGN ON FRONT	
DESIGN ON BACK	
ADDITIONAL LETTERING	
WASHER	1500.00
OTHER	
GRANITE PAD	
APRON AROUND BASE	
VASE USE EXISTING VASE	
DEATH DATE	
CORNER POST	60.00
FOOT STONE	
CLEANING	
CURBING	
PHOTOGRAPH	
TOTAL	\$ 1560.00
7 per cent SALES TAX	109.20
TOTAL WITH TAX	\$ 1669.20
PAID WITH ORDER	\$
BALANCE	\$

\*\*\*TAKES APPROX. 7 MONTHS TO COMPLETE\*\*\*

No sales tax is included in the price unless otherwise specified herein. ONLY THE LETTERING HEREIN SPECIFIED IS INCLUDED IN THE AGREED PRICE. This order is subject to any delay caused by any strike, lockout, fire or other condition beyond your control. There is no agreement regarding this order other than contained herein. FUTURE DEATH DATES ARE NOT COVERED IN THIS ORDER.

The said monument is guaranteed by you against any defect in workmanship. The said monument, with title thereto and right of possession hereof, shall remain your personal property until it has been paid for in full. In default of any payment hereunder, I reserve you to remove and remove the said monument without guilt of negligence or other wrong, and substitute and empower you in my name and on my behalf, to apply to the management of said Cemetery or other person for a permit for its removal and to take any other steps you deem necessary to expedite and further agree to save you harmless from and under any entry, repossession and removal you may then retain said monument or dispose of it at your own discretion without being answerable to me for it or for any proceeds therefrom.

In the event of any default hereunder, the undersigned purchaser agrees to pay all cost of collection, including reasonable Attorney's fees not to exceed seven per cent (7%) of the unpaid and outstanding balance at the time of default, if incurred.

Signed \_\_\_\_\_  
 YOU ARE VERIFYING ALL LETTERING AND DATES ARE CORRECT  
 DATE \_\_\_\_\_



**CHATHAM**  
**MONUMENT CO., INC.**  
 227 North Second Avenue  
 Siler City, North Carolina 27344  
 Phone (919) 663-3120  
 Toll Free (888) 799-0365  
 www.chathammonument.com

Date July 30, 2024 No. \_\_\_\_\_  
 In Agreement with Helen McDonald & Jane Ritter  
 Street \_\_\_\_\_ Phone 910 690 2463  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 EMAIL: hmc2946@gmail.com mjritter80@gmail.com

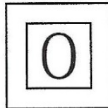
Crosshill  
 CEMETERY

Carthage  
 CITY AND STATE

TOP TABLET \_\_\_\_\_ FINISH \_\_\_\_\_ BASE \_\_\_\_\_ MARKER SIZE 5-0x1-4x0.4

MATERIAL	DESIGN NO.	LOCATION IN LOT
<u>Georgia Gray Granite</u>	<u>As Below</u>	

\* Replace existing marker and 1 corner post that has been damaged



COY WILLIAM APR. 30, 1933 OCT. 19, 2023	●	RUTH MARIE FULLER FEB. 27, 1932 DEC. 3, 2012
<h1>OAKLEY</h1>		

PRICE SUMMARY	
MONUMENT . . . . .	\$ _____
FAMILY NAME ON BACK . . . . .	_____
ADDITIONAL DESIGN ON FRONT . . . . .	_____
DESIGN ON BACK . . . . .	_____
ADDITIONAL LETTERING . . . . .	_____
MARKER . . . . .	<u>1500.00</u>
OTHER . . . . .	_____
GRANITE PAD . . . . .	_____
APRON AROUND BASE . . . . .	_____
VASE . <u>USE existing vase</u>	_____
DEATH DATE . . . . .	_____
CORNER POST . . . . .	<u>60.00</u>
FOOT STONE . . . . .	_____
CLEANING . . . . .	_____
CURBING . . . . .	_____
PHOTOGRAPH . . . . .	_____
<b>TOTAL . . . . .</b>	<b>\$ <u>1560.00</u></b>
<u>7</u> per cent N.C. SALES TAX . . . . .	<u>109.20</u>
<b>TOTAL WITH TAX . . . . .</b>	<b>\$ <u>1669.20</u></b>
PAID WITH ORDER . . . . .	\$ _____
BALANCE . . . . .	\$ _____

Company Policy is 1/2 down with order and balance due upon completion. Any unpaid balance over 30 days subject to 1 1/2% Finance Charge per month (18% per year) Minimum monthly handling fee of \$5.00

\*\*\*TAKES APPROX. 7 MONTHS TO COMPLETE\*\*\*

No sales tax is included in the price unless otherwise specified herein. **ONLY THE LETTERING HEREIN SPECIFIED IS INCLUDED IN THE AGREED PRICE.** This order is subject to any delay caused by any strike, lockout, fire or other condition beyond your control. There is no agreement regarding this order other than contained herein. **FUTURE DEATH DATES ARE NOT COVERED IN THIS ORDER.**

The said memorial is guaranteed by you against any defect in workmanship. The said memorial, with title thereto and right of possession hereof, shall remain your personal property until I have paid for it in full. In default of any payment hereunder I license you to repossess and remove the said memorial without guilt of trespass or other wrong, and authorize and empower you in my name and on my behalf, to apply to the management of said Cemetery or other premises for a permit for its removal and to take any other steps you deem necessary to expedient and further agree to save you harmless from and under any entry, repossession and removal; you may then retain said memorial or dispose of it at your own discretion without being answerable to me for it or for any proceeds therefrom.

In the event of any default hereunder, the undersigned purchaser agrees to pay all cost of collection, including reasonable Attorney's fees not to exceed fifteen per cent (15%) of the unpaid and outstanding balance at the time of default, if incurred.

ACCEPTED BY: \_\_\_\_\_

Signed \_\_\_\_\_  
 YOU ARE VERIFYING ALL LETTERING AND DATES ARE CORRECT

DATE \_\_\_\_\_





## MEMORANDUM

Date: September 12, 2024  
To: The Board of Commissioners  
From: Kim Gibson, Town Clerk  
Subject: Request for Appeal of Board's Decision for Payment of Utility Billing Error

---

At the last regular meeting on August 19, 2024, the Board was presented with four individual accounts that had been audited and found to be in a state of arrears due to billing errors and glitches. The Board determined that there was precedent for having the account owners repay the amounts in arrears with the extension of the payment plan that is currently allowable by ordinance from six months to three years. This was done in recent years past with a very similar circumstance.

The account owners for Case #1 that was presented last month, Gary & Paula Gross have requested an appeal for this decision.

### SUGGESTED MOTION(S)

#### OPTION 1

I make a motion to approve the requested appeal by the Gross family to receive forgiveness of this debt for the following reasons: \_\_\_\_\_

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

#### OPTION 2

I make a motion to approve the requested appeal by the Gross family with the following conditions/changes:

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

#### OPTION 3

I make a motion to disapprove this the requested appeal by the Gross family to receive forgiveness of this debt for the following reasons:

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

9-6-2024

From: Gary & Paula Gross

396 Kim Lane

Carthage, Nc. 28327

To: Carthage Utilities

c/o Emily Yopp/Town Manager

Re: Commissioners' Decision regarding billing error at 396 Kim Lane. Carthage NC 28327

To Whom It May Concern:

This letter is to dispute the decision for repayment of the amount of \$3,712.22 involving the dates of 12-31-2021 through 4-30-2024. We had moved from the garage apartment on the property to our new build home at the same address. When we moved into the house we had water and assumed everything was in order for the service. We were never informed of anything otherwise. During that entire time frame we received a water bill from the Town of Carthage and payed the entire amount due on time every month and in good faith.

In April of 2024 we received an inflated bill for \$318.40 and when we called to question it we were told it was probably due to the installation of new meters. After some back and forth we were presented with a spread sheet of monthly use showing the amount due of \$3,712.22.

It is our understanding that there are several water accounts with discrepancies that total approximately \$20,000.00. It is also our understanding that these other account shortages are different in nature from our problem. That some or all are a result of intentional unpayment. That is not our situation. There is no clearcut explanation for what occurred with our account that resulted in us not receiving proper billing. An error in the installation of our meter is one theory and some confusion at the time of hookup of the house service had been proposed as another. In any case, we were totally unaware of any problem and feel that it is unfair to request repayment for the following reasons.

\*the error was not our fault. We feel that accurate billing is the responsibility of the Water Company. While we understand that accidents happen we feel it is unfair for us to suffer financially because of it. Due to this and the ability of a utility company to offer it under certain circumstances, we are requesting forgiveness of the amount "due".

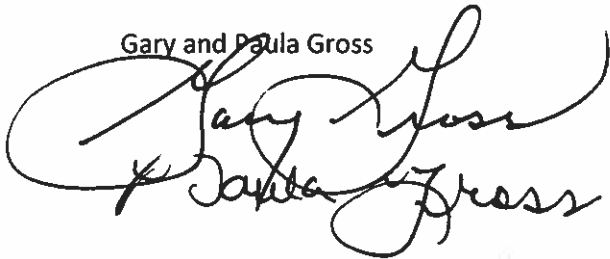
\*the lack of timeliness in discovering the error on the part of the Water Company has denied us the opportunity to adjust our usage and therefore reduce our monthly amounts due. We are retired and on a fixed income and budget our expenses accordingly. Because of this it is impossible to know what we would have actually had to pay during that time frame.

\*we were unaware of the ion water system that would have allowed us to monitor our usage monthly or even daily. If we had had that information we ourselves would have possibly realized there was a problem.

We look forward to further explaining our situation and answering any questions that the Board has for us regarding this matter.

Sincerely,

Gary and Paula Gross

Handwritten signatures of Gary and Paula Gross. The signature for Gary Gross is written in a large, cursive script, and the signature for Paula Gross is written in a smaller, cursive script below it.

## Water Account Audit Completed May 2024

### Case #1

Account Number:	470-2
Type of Property:	New home constructed December 2021
Usage Dates:	12/31/21 to 4/30/24
Water Owed:	\$1,484.99
Sewer Owed:	\$2,227.23
<b>Total Owed:</b>	<b>\$3,712.22</b>

### **Details:**

- On June 15, 2020, property owners submitted to the Town an application to install new water and sewer taps for a new construction home. Property already had installed one set of water/sewer meters where property owners had built a detached garage w/ apartment where they would reside while the primary home was being built.
- Based on utility billing usage for the garage-apartment meters it is estimated that the property owners lived in the garage apartment between 12/19/2020 to 12/31/2021.
- In 2021, the Town was engaged in the AMI Meter Replacement project to upgrade the old manual read meters to cellular ones.
- On July 19, 2021, a "Meter Replacement Form" was submitted indicating that the meter located at the garage-apartment had been changed from the old to the new one. It is believed that the primary dwelling received a new meter from the beginning and so no form is on file notating the switch.
- On 12/31/2021, usage at the primary dwelling began to be recorded however an account was never created in the billing software system. Upon investigation, a new utility service application was not on file for this meter which would have prompted staff to create the account for the primary dwelling. It is unknown how the water to the primary dwelling was activated.
- The account with the garage-apartment meter began showing a steady billing rate of \$48.74 on 1/31/2022 which indicates the property owner moved into the primary dwelling around this time and stop using water at the garage-apartment. This is confirmed by water usage recorded by the meter connected to the primary dwelling and shown in the Budget Meter monitoring system.
- Upon conversation with the property owner regarding this matter the following statements and confirmations were made:
  - The property owners confirmed they lived in the garage-apartment during the times indicated and that they moved into the new home in the timeframe indicated by the billing and meter monitoring system.

- When staff explained that they should have been receiving two separate bills, one for the garage-apartment and one for the home, the property owners confirmed they had only ever received one utility bill and were not aware that they should have been receiving two.
- Staff pointed out on the monthly billing statements for the past 2 years that the description box denoted the bill as having been issued to the “Apartment”, not the home. Property owners stated that they had never noticed the description box and were under the impression that the bill they were receiving was for both meters.
- Staff asked if the property owner had noticed that the bills they had been receiving went from different billing amounts (indicative of active usage during their residency in the garage-apartment) to a steady \$48.74 for the last 2 years, never changing. The property owner indicated to staff that they had not noticed this and had no reason to believe that the billing being sent to them was inaccurate.

The property owners are requesting that the amount owed be forgiven citing the following reasons; 1) the error was not their fault; 2) they are retired and on a fixed income and this matter creates a financial hardship for them.

*APARTMENT ACTIVE*

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Bill	002-00004		Active	GARY GRO	396 KIM L	\$48.09		\$48.09	7/29/2024	7/29/2024	8/25/2024	8/25/2024	UB Bill Tra			0
Payment	002-00004		Active	GARY GRO	396 KIM L	\$41.77		\$0.00	7/17/2024	7/17/2024			UB PAY		945226	0
Bill	002-00004		Active	GARY GRO	396 KIM L	\$41.77		\$41.77	6/28/2024	6/28/2024	7/25/2024	7/25/2024	UB Bill Tra			0
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Payment	002-00004	Active	GARY GRO	396 KIM L	\$130.89		\$0.00	6/20/2024		6/20/2024			UB PAY		942669	0																																																																															
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Trans Type	Account	Nbr	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans	Date	Source	Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID	
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*APARTMENT INACTIVE*

Trans Type	Account	Nbr	Acct Status	Full Name	Service Add	Trans Amt	Inmng	Balar	Trans Date	Source Date	Due Date	Fac	Due Dat	Trans Desc	Void Note	Pay ID	Void ID																																																																														
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		548794	002-0000484-5	WATER														\$17.50																																																																													
Payment	002-00004	Balance		GARY GRO	396 KIM L	\$48.74		\$48.74	6/7/2024	6/7/2024				UB PAY		942193	0																																																																														
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		548793	002-0000484-5	WATER														\$17.50																																																																													
Final Bill	002-00004	Final		GARY GRO	396 KIM L	\$48.74		\$97.48	5/17/2024	5/17/2024	5/25/2024	5/25/2024	5/25/2024	Adjusting f		0	0																																																																														
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		545775	002-0000484-5	SEWER														\$19.25																																																																													
Final Bill V	002-00004	Final		GARY GRO	396 KIM L	\$53.99		\$48.74	5/17/2024	5/17/2024	5/25/2024	5/25/2024	5/25/2024	Adjusting f		0	542818																																																																														
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		545774	002-0000484-5	SEWER														\$22.67																																																																													
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$102.73	3/28/2024	5/17/2024	4/25/2024	4/25/2024	4/25/2024	Adjusting f		0	0																																																																														
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		545773	002-0000484-5	SEWER														\$19.25																																																																													
Bill Void	002-00004	Active		GARY GRO	396 KIM L	\$112.13		\$53.99	3/28/2024	5/17/2024	4/25/2024	4/25/2024	4/25/2024	Adjusting f		0	542812																																																																														
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Trans ID		Account Num																																																																																													
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Trans Type	Account Nbr	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID
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Bill Voided	002-00004	Active	GARY GRO	396 KIM L	\$112.13	\$112.13	3/28/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	CUSTOME	Adjusting f	0		545772
Bill Void	002-00004	Active	GARY GRO	396 KIM L	\$318.40	\$0.00	3/28/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	CUSTOME	CUSTOME			540631
Bill Voided	002-00004	Active	GARY GRO	396 KIM L	\$318.40	\$318.40	3/28/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	4/25/2024	UB Bill Tra	CUSTOME			542811
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Trans Type	Account	Nbr	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	ast	Due Date	Trans Desc	Void Note	Pay ID	Void ID																																
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74		\$48.74	2/27/2024	2/27/2024	3/25/2024		3/25/2024	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																											
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	536938	002-0000484-5	SEWER				\$19.25																																										
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	2/20/2024	2/20/2024	2/20/2024					UB PAY		932091	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																											
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	535122	002-0000484-5	WATER				\$17.50																																										
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	1/25/2024	1/25/2024	1/25/2024	2/25/2024	2/25/2024		2/25/2024	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																											
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	533194	002-0000484-5	SEWER				\$19.25																																										
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	1/18/2024	1/18/2024	1/18/2024					UB PAY		929235	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																											
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Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	1/2/2024	1/2/2024	1/2/2024	1/25/2024	1/25/2024		1/25/2024	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																											
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	529815	002-0000484-5	SEWER				\$19.25																																										
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	528417	002-0000484-5	TRASH				\$11.99																																										

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Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$48.74	10/26/2021	10/26/2021	11/27/2021	11/27/2021		UB Bill Tra				0
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			521340	002-0000484-5				WATER									\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$48.74	9/28/2023	9/28/2023	10/25/2023	10/25/2023		UB Bill Tra				0
	Trans ID				Account Num				Service Name								
			519843	002-0000484-5				WATER									\$17.50
			519843	002-0000484-5				SEWER									\$19.25
			519843	002-0000484-5				TRASH									\$11.99

Trans Type	Account Num	Acct. Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	ast	Due Dal	Trans Desc	Void Note	Pay ID	Void ID
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$0.00	9/13/2023	9/13/2023				UB PAY		918296	0
Trans ID																
Account Num																
			517071	002-0000484-5					TRASH							\$11.99
			517071	002-0000484-5					SEWER							\$19.25
			517071	002-0000484-5					WATER							\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$48.74	8/29/2023	8/29/2023	9/25/2023			UB Bill Tra			0
Trans ID																
Account Num																
			515700	002-0000484-5					WATER							\$17.50
			515700	002-0000484-5					SEWER							\$19.25
			515700	002-0000484-5					TRASH							\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$0.00	8/18/2023	8/18/2023				UB PAY		916079	0
Trans ID																
Account Num																
			513871	002-0000484-5					TRASH							\$11.99
			513871	002-0000484-5					SEWER							\$19.25
			513871	002-0000484-5					WATER							\$17.50
Payment	002-00004	Active	GARY GRO	396 KIM L	\$50.00		\$48.74	8/8/2023	8/8/2023				UB PAY		915556	0
Trans ID																
Account Num																
			513351	002-0000484-5					RECONNECT FEE							\$50.00
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$98.74	8/8/2023	8/8/2023				UB PAY		915556	0
Trans ID																
Account Num																
			513350	002-0000484-5					TRASH							\$11.99
			513350	002-0000484-5					SEWER							\$19.25
			513350	002-0000484-5					WATER							\$17.50
Penalty	002-00004	Active	GARY GRO	396 KIM L	\$50.00		\$147.48	8/8/2023	8/8/2023				ADDING L			0
Trans ID																
Account Num																
			513312	002-0000484-5					RECONNECT FEE							\$50.00
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74		\$97.48	7/31/2023	7/31/2023	8/25/2023			UB Bill Tra			0
Trans ID																
Account Num																
			512346	002-0000484-5					WATER							\$17.50

Date: 9/4/2024 9:26 AM

FMS Utility Billing UB Transaction History







Trans Type	Account Num	Acct Status	Full Name	Service Add	Trans Amt	Inning Bal	Trans Date	Source Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Void ID
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	4/27/2023	4/27/2023			UB PAY		907708	0
Trans ID														
			501274	002-0000484-5			TRASH							\$11.99
			501274	002-0000484-5			SEWER							\$19.25
			501274	002-0000484-5			WATER							\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	3/30/2023	3/30/2023	4/25/2023	4/25/2023	UB Bill Tra			0
Trans ID														
			499166	002-0000484-5			WATER							\$17.50
			499166	002-0000484-5			SEWER							\$19.25
			499166	002-0000484-5			TRASH							\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	3/16/2023	3/16/2023			UB PAY		904708	0
Trans ID														
			497507	002-0000484-5			TRASH							\$11.99
			497507	002-0000484-5			SEWER							\$19.25
			497507	002-0000484-5			WATER							\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	2/28/2023	3/1/2023	3/25/2023	3/25/2023	UB Bill Tra			0
Trans ID														
			495878	002-0000484-5			WATER							\$17.50
			495878	002-0000484-5			SEWER							\$19.25
			495878	002-0000484-5			TRASH							\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	2/15/2023	2/15/2023			UB PAY		902042	0
Trans ID														
			493968	002-0000484-5			TRASH							\$11.99
			493968	002-0000484-5			SEWER							\$19.25
			493968	002-0000484-5			WATER							\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	1/30/2023	1/30/2023	2/28/2023	2/28/2023	UB Bill Tra			0
Trans ID														
			492580	002-0000484-5			WATER							\$17.50

Trans Type	Account	Nur Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	1st Due	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID
			492580	002-0000484-5				SEWER								\$19.25
			492580	002-0000484-5				TRASH								\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	1/17/2023	1/17/2023				UB PAY		900519		0
			490875	002-0000484-5				TRASH								\$11.99
			490875	002-0000484-5				SEWER								\$19.25
			490875	002-0000484-5				WATER								\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	12/30/2022	12/30/2022	1/25/2023	1/25/2023		UB Bill Tra				0
			487263	002-0000484-5				WATER								\$17.50
			487263	002-0000484-5				SEWER								\$19.25
			487263	002-0000484-5				TRASH								\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	12/19/2022	12/19/2022				UB PAY		878678		0
			485869	002-0000484-5				TRASH								\$11.99
			485869	002-0000484-5				SEWER								\$19.25
			485869	002-0000484-5				WATER								\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	11/30/2022	11/30/2022	12/25/2022	12/25/2022		UB Bill Tra				0
			484273	002-0000484-5				WATER								\$17.50
			484273	002-0000484-5				SEWER								\$19.25
			484273	002-0000484-5				TRASH								\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	11/9/2022	11/10/2022				UB PAY		876566		0
			482658	002-0000484-5				TRASH								\$11.99
			482658	002-0000484-5				SEWER								\$19.25
			482658	002-0000484-5				WATER								\$17.50

Trans Type	Account Num	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	Est Due Date	Trans Desc	Void Note	Pay ID	Void ID																																
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74		10/31/2022	10/31/2022	11/25/2022	11/25/2022	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																									
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	481202	002-0000484-5		SEWER			\$19.25																																								
	481202	002-0000484-5		TRASH			\$11.99																																								
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00		10/26/2022	10/26/2022			UB PAY		874935	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																									
	479854	002-0000484-5		TRASH			\$11.99																																								
	479854	002-0000484-5		SEWER			\$19.25																																								
	479854	002-0000484-5		WATER			\$17.50																																								
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74		10/1/2022	10/1/2022	10/25/2022	10/25/2022	UB Bill Tra			0																																
<table border="1"> <thead> <tr> <th colspan="2">Trans ID</th> <th colspan="2">Account Num</th> <th colspan="2">Service Name</th> <th colspan="2">Trans Amt</th> </tr> </thead> <tbody> <tr> <td></td> <td>478100</td> <td>002-0000484-5</td> <td></td> <td>WATER</td> <td></td> <td></td> <td>\$17.50</td> </tr> <tr> <td></td> <td>478100</td> <td>002-0000484-5</td> <td></td> <td>SEWER</td> <td></td> <td></td> <td>\$19.25</td> </tr> <tr> <td></td> <td>478100</td> <td>002-0000484-5</td> <td></td> <td>TRASH</td> <td></td> <td></td> <td>\$11.99</td> </tr> </tbody> </table>																Trans ID		Account Num		Service Name		Trans Amt			478100	002-0000484-5		WATER			\$17.50		478100	002-0000484-5		SEWER			\$19.25		478100	002-0000484-5		TRASH			\$11.99
Trans ID		Account Num		Service Name		Trans Amt																																									
	478100	002-0000484-5		WATER			\$17.50																																								
	478100	002-0000484-5		SEWER			\$19.25																																								
	478100	002-0000484-5		TRASH			\$11.99																																								
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00		9/18/2022	9/18/2022			UB PAY		872647	0																																
<table border="1"> <thead> <tr> <th colspan="2">Trans ID</th> <th colspan="2">Account Num</th> <th colspan="2">Service Name</th> <th colspan="2">Trans Amt</th> </tr> </thead> <tbody> <tr> <td></td> <td>476392</td> <td>002-0000484-5</td> <td></td> <td>TRASH</td> <td></td> <td></td> <td>\$11.99</td> </tr> <tr> <td></td> <td>476392</td> <td>002-0000484-5</td> <td></td> <td>SEWER</td> <td></td> <td></td> <td>\$19.25</td> </tr> <tr> <td></td> <td>476392</td> <td>002-0000484-5</td> <td></td> <td>WATER</td> <td></td> <td></td> <td>\$17.50</td> </tr> </tbody> </table>																Trans ID		Account Num		Service Name		Trans Amt			476392	002-0000484-5		TRASH			\$11.99		476392	002-0000484-5		SEWER			\$19.25		476392	002-0000484-5		WATER			\$17.50
Trans ID		Account Num		Service Name		Trans Amt																																									
	476392	002-0000484-5		TRASH			\$11.99																																								
	476392	002-0000484-5		SEWER			\$19.25																																								
	476392	002-0000484-5		WATER			\$17.50																																								
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74		8/31/2022	8/31/2022	9/25/2022	9/25/2022	UB Bill Tra			0																																
<table border="1"> <thead> <tr> <th colspan="2">Trans ID</th> <th colspan="2">Account Num</th> <th colspan="2">Service Name</th> <th colspan="2">Trans Amt</th> </tr> </thead> <tbody> <tr> <td></td> <td>474972</td> <td>002-0000484-5</td> <td></td> <td>WATER</td> <td></td> <td></td> <td>\$17.50</td> </tr> <tr> <td></td> <td>474972</td> <td>002-0000484-5</td> <td></td> <td>SEWER</td> <td></td> <td></td> <td>\$19.25</td> </tr> <tr> <td></td> <td>474972</td> <td>002-0000484-5</td> <td></td> <td>TRASH</td> <td></td> <td></td> <td>\$11.99</td> </tr> </tbody> </table>																Trans ID		Account Num		Service Name		Trans Amt			474972	002-0000484-5		WATER			\$17.50		474972	002-0000484-5		SEWER			\$19.25		474972	002-0000484-5		TRASH			\$11.99
Trans ID		Account Num		Service Name		Trans Amt																																									
	474972	002-0000484-5		WATER			\$17.50																																								
	474972	002-0000484-5		SEWER			\$19.25																																								
	474972	002-0000484-5		TRASH			\$11.99																																								
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00		8/17/2022	8/17/2022			UB PAY		870867	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																									
	473510	002-0000484-5		TRASH			\$11.99																																								

Trans Type	Account	Nur Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	Last Due	Dat	Trans Desc	Void Note	Pay ID	Void ID
Trans ID	Account Num	Service Name	Account Num	Service Name	Trans Amt	Trans Amt	Trans Amt	Trans Amt	Service Name	Service Name	Trans Amt	Trans Amt	Trans Amt	Trans Amt	Trans Amt	Trans Amt	Trans Amt
	473510	002-0000484-5		SEWER													\$19.25
	473510	002-0000484-5		WATER													\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	\$48.74	7/28/2022	7/28/2022	8/25/2022	8/25/2022			UB Bill Tra			0
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	471845	002-0000484-5		SEWER													\$19.25
	471845	002-0000484-5		TRASH													\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	\$0.00	7/25/2022	7/25/2022					UB PAY		869117	0
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	470601	002-0000484-5		SEWER													\$19.25
	470601	002-0000484-5		WATER													\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	\$48.74	6/30/2022	6/30/2022	7/25/2022	7/25/2022			UB Bill Tra			0
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	468918	002-0000484-5		SEWER													\$19.25
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Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	\$0.00	6/20/2022	6/20/2022					UB PAY		866925	0
	467308	002-0000484-5		TRASH													\$11.99
	467308	002-0000484-5		SEWER													\$19.25
	467308	002-0000484-5		WATER													\$17.50
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	\$48.74	5/31/2022	6/1/2022	6/25/2022	6/25/2022			UB Bill Tra			0
	465866	002-0000484-5		WATER													\$17.50
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Trans Type	Account Num	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	ast	Due Dal	Trans Desc	Void Note	Pay ID	Void ID																
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	5/19/2022	5/20/2022					UB PAY		865138	0																	
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<b>Trans ID</b>	<b>Account Num</b>	<b>Service Name</b>	<b>Trans Amt</b>																														
464361	002-0000484-5	TRASH	\$11.99																														
464361	002-0000484-5	SEWER	\$19.25																														
464361	002-0000484-5	WATER	\$17.50																														
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	5/3/2022	5/25/2022	5/25/2022	5/25/2022			UB Bill Tra			0																	
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<b>Trans ID</b>	<b>Account Num</b>	<b>Service Name</b>	<b>Trans Amt</b>																														
462997	002-0000484-5	WATER	\$17.50																														
462997	002-0000484-5	SEWER	\$19.25																														
462997	002-0000484-5	TRASH	\$11.99																														
Payment	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$0.00	4/20/2022	4/20/2022					UB PAY		863385	0																	
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<b>Trans ID</b>	<b>Account Num</b>	<b>Service Name</b>	<b>Trans Amt</b>																														
461523	002-0000484-5	TRASH	\$11.99																														
461523	002-0000484-5	SEWER	\$19.25																														
461523	002-0000484-5	WATER	\$17.50																														
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	3/30/2022	3/30/2022	4/25/2022	4/25/2022			UB Bill Tra			0																	
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<b>Trans ID</b>	<b>Account Num</b>	<b>Service Name</b>	<b>Trans Amt</b>																														
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459935	002-0000484-5	SEWER	\$19.25																														
459935	002-0000484-5	TRASH	\$11.99																														
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458466	002-0000484-5	SEWER	\$19.25																														
458466	002-0000484-5	WATER	\$17.50																														
Bill	002-00004	Active	GARY GRO	396 KIM L	\$48.74	\$48.74	3/1/2022	3/2/2022	3/25/2022	3/25/2022			UB Bill Tra			0																	
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455863	002-0000484-5	WATER	\$17.50																														





Trans Type	Account	Nur Acct	Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Void ID																																
Bill	002-00004	Active		GARY GRO	396 KIM L	\$54.89		\$54.89	12/7/2021	12/7/2021	12/25/202	12/25/202	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
	445900	002-0000484-5		WATER			\$19.64																																									
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	445900	002-0000484-5		TRASH			\$11.99																																									
Payment	002-00004	Active		GARY GRO	396 KIM L	\$53.40		\$0.00	11/24/202	11/27/202			UB PAY		834304	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
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	444284	002-0000484-5		SEWER			\$22.29																																									
	444284	002-0000484-5		WATER			\$19.13																																									
Pre-Payme	002-00004	Active		GARY GRO	396 KIM L	\$0.01		\$53.40	11/9/2021	11/9/2021	11/25/202	11/25/202	Pre-Payme			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
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Bill	002-00004	Active		GARY GRO	396 KIM L	\$53.41		(\$0.01)	11/9/2021	11/9/2021	11/25/202	11/25/202	UB Bill Tra			0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
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	441137	002-0000484-5		SEWER			\$22.29																																									
	441137	002-0000484-5		TRASH			\$11.99																																									
Pre-Payme	002-00004	Active		GARY GRO	396 KIM L	\$0.01		(\$0.01)	10/18/202	10/18/202			UB PAY		812337	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
	439100	002-0000484-5		TRASH			\$11.98																																									
	439100	002-0000484-5		SEWER			\$32.27																																									
	439100	002-0000484-5		WATER			\$24.46																																									
Manual Pa	002-00004	Active		GARY GRO	396 KIM L	\$0.01		\$68.71	1/21/2021	10/7/2021			CHECK W		811613	0																																
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Trans ID		Account Num		Service Name		Trans Amt																																										
	438589	002-0000484-5		TRASH			\$0.01																																									
Bill	002-00004	Active		GARY GRO	396 KIM L	\$68.72		\$68.72	9/30/2021	10/1/2021	10/25/202	10/25/202	UB Bill Tra			0																																

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Trans Type	Account	Nur Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	ast Due	Daf	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID	
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			436121	002-0000484-5					TRASH									\$11.99	
			436121	002-0000484-5					SEWER									\$28.59	
			436121	002-0000484-5					WATER									\$22.49	
Bill	002-00004	Active	GARY GRO	396 KIM L	\$63.07			9/1/2021					UB Bill Tra					0	
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			435020	002-0000484-5					WATER									\$22.49	
			435020	002-0000484-5					SEWER									\$28.59	
			435020	002-0000484-5					TRASH									\$11.99	
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					Account Num				Service Name										
			432118	002-0000484-5					WATER									\$33.10	
			432118	002-0000484-5					SEWER									\$48.22	
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			430382	002-0000484-5					TRASH									\$11.99	
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Trans Type	Account	Nur Acct	Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID		
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Payment	002-00004	Active		GARY GRO	396 KIM L	\$75.74			6/7/2021	6/7/2021				UB PAY				804774	0	
Bill	002-00004	Active		GARY GRO	396 KIM L	\$75.74			5/28/2021	5/28/2021	6/25/2021	6/25/2021		UB Bill Tra				\$11.99	0	
Payment	002-00004	Active		GARY GRO	396 KIM L	\$73.04			5/12/2021	5/12/2021				UB PAY				803575	0	
Bill	002-00004	Active		GARY GRO	396 KIM L	\$73.04			4/28/2021	4/28/2021	5/25/2021	5/25/2021		UB Bill Tra				\$11.99	0	
Payment	002-00004	Active		GARY GRO	396 KIM L	\$83.84			4/13/2021	4/13/2021				UB PAY				801983	0	

Trans Type	Account Num	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	Trans Desc	Void Note	Pay ID	Void ID
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	421760		002-0000484-5					WATER							\$29.72
Bill	002-00004	Active	GARY GRO	396 KIM L	\$83.64			3/26/2021		3/29/2021	4/25/2021	UB Bill Tra			0
Trans ID			Account Num			Service Name			Trans Amt						
	420345		002-0000484-5					WATER							\$29.72
	420345		002-0000484-5					SEWER							\$42.13
	420345		002-0000484-5					TRASH							\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$101.55			3/19/2021		3/19/2021		UB PAY		800502	0
Trans ID			Account Num			Service Name			Trans Amt						
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Bill	002-00004	Active	GARY GRO	396 KIM L	\$101.55			3/1/2021		3/25/2021	3/25/2021	UB Bill Tra			0
Trans ID			Account Num			Service Name			Trans Amt						
	417453		002-0000484-5					WATER							\$36.15
	417453		002-0000484-5					SEWER							\$53.41
	417453		002-0000484-5					TRASH							\$11.99
Payment	002-00004	Active	GARY GRO	396 KIM L	\$110.79			2/4/2021		2/4/2021		UB PAY		797436	0
Trans ID			Account Num			Service Name			Trans Amt						
	415347		002-0000484-5					TRASH							\$11.99
	415347		002-0000484-5					SEWER							\$59.23
	415347		002-0000484-5					WATER							\$39.57
Bill	002-00004	Active	GARY GRO	396 KIM L	\$110.79			1/27/2021		1/27/2021	2/25/2021	UB Bill Tra			0
Trans ID			Account Num			Service Name			Trans Amt						
	414593		002-0000484-5					WATER							\$39.57
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Trans Type	Account Num	Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID																																																																																																																																																																																				
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Bill	002-00004	Active	GARY GRO	396 KIM L	\$96.93		\$96.93	9/30/2020	9/30/2020	10/25/202	10/25/202	UB Bill Tra				0																
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Trans ID	Account Num	Service Name	Trans Amt																													
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Trans ID	Account Num	Service Name	Trans Amt																													
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	383586			002-0000484-5				SEWER								\$51.47	
	383586			002-0000484-5				WATER								\$35.01	
Bill	002-00004	Active	GARY GRO	396 KIM L	\$98.47		\$98.47	3/30/2020	3/30/2020	4/30/2020	4/30/2020		UB Bill Tra				0
	382723			002-0000484-5				TRASH								\$11.99	
	382723			002-0000484-5				WATER								\$35.01	
	382723			002-0000484-5				SEWER								\$51.47	
Payment	002-00004	Active	GARY GRO	396 KIM L	\$101.55		\$0.00	3/9/2020	3/9/2020				551			758483	0
	380812			002-0000484-5				TRASH								\$11.99	
	380812			002-0000484-5				SEWER								\$53.41	
	380812			002-0000484-5				WATER								\$36.15	
Bill	002-00004	Active	GARY GRO	396 KIM L	\$101.55		\$101.55	2/26/2020	2/26/2020	3/25/2020	3/25/2020		UB Bill Tra				0
	379546			002-0000484-5				WATER								\$36.15	
	379546			002-0000484-5				SEWER								\$53.41	

Trans Type	Account	Nur Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source	Date	Due Date	ast	Desc	Trans Desc	Void Note	Pay ID	Trans Amt	Void ID	
			379546	002-0000484-5														\$11.99	
Payment	002-00004	Active	GARY GRO	396 KIM L	\$71.69		\$0.00	2/13/2020	2/13/2020				537				757328	0	
			378074	002-0000484-5														\$11.99	
			378074	002-0000484-5														\$34.21	
			378074	002-0000484-5														\$25.49	
Bill	002-00004	Active	GARY GRO	396 KIM L	\$71.69		\$71.69	1/28/2020	1/28/2020	2/25/2020	2/25/2020							0	
			375651	002-0000484-5														\$25.49	
			375651	002-0000484-5														\$34.21	
			375651	002-0000484-5														\$11.99	
\$8,141.55																			



Trans Type	Account	Nur Acct	Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	Last Due Date	Trans Desc	Void Note	Pay ID	Void ID
Payment	002-00004	Balance		GARY GRO	396 KIM L	\$48.74		\$0.00	6/7/2024	6/7/2024			UB PAY		942193	0
Payment	002-00004	Balance		GARY GRO	396 KIM L	\$48.74		\$48.74	6/7/2024	6/7/2024			UB PAY		942193	0
Final Bill	002-00004	Final		GARY GRO	396 KIM L	\$48.74		\$97.48	4/25/2024	5/17/2024	5/25/2024	5/25/2024	Adjusting f		0	0
Final Bill V	002-00004	Final		GARY GRO	396 KIM L	\$53.99		\$48.74	4/25/2024	5/17/2024	5/25/2024	5/25/2024	Adjusting f	Adjusting f		542818
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$102.73	3/28/2024	5/17/2024	4/25/2024	4/25/2024	Adjusting f		0	0
Bill Void	002-00004	Active		GARY GRO	396 KIM L	\$112.13		\$53.99	3/28/2024	5/17/2024	4/25/2024	4/25/2024	Adjusting f	Adjusting f	0	542812
Final Bill V	002-00004	Final		GARY GRO	396 KIM L	\$53.99		\$166.12	4/25/2024	4/25/2024	5/25/2024	5/25/2024	UB Bill Fin	Adjusting f		545774
Bill Voided	002-00004	Active		GARY GRO	396 KIM L	\$112.13		\$112.13	3/28/2024	4/25/2024	4/25/2024	4/25/2024	CUSTOME	Adjusting f	0	545772
Bill Void	002-00004	Active		GARY GRO	396 KIM L	\$318.40		\$0.00	3/28/2024	4/25/2024	4/25/2024	4/25/2024	CUSTOME	CUSTOME		540631
Bill Voided	002-00004	Active		GARY GRO	396 KIM L	\$318.40		\$318.40	3/28/2024	3/28/2024	4/25/2024	4/25/2024	UB Bill Tra	CUSTOME		542811
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	3/14/2024	3/14/2024			UB PAY		934460	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	2/27/2024	2/27/2024	3/25/2024	3/25/2024	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	2/20/2024	2/20/2024			UB PAY		932091	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	1/25/2024	1/25/2024	2/25/2024	2/25/2024	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	1/18/2024	1/18/2024			UB PAY		929235	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	1/2/2024	1/2/2024	1/25/2024	1/25/2024	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	12/21/2023	12/21/2023			UB PAY		927676	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	11/29/2023	11/29/2023	12/25/2023	12/25/2023	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	11/9/2023	11/9/2023			UB PAY		924064	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	10/26/2023	10/26/2023	11/27/2023	11/27/2023	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	10/19/2023	10/19/2023			UB PAY		921960	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	9/28/2023	9/28/2023	10/25/2023	10/25/2023	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	9/13/2023	9/13/2023			UB PAY		918296	0
Bill	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$48.74	8/29/2023	8/29/2023	9/25/2023	9/25/2023	UB Bill Tra			0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$0.00	8/18/2023	8/18/2023			UB PAY		916079	0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$50.00		\$48.74	8/8/2023	8/8/2023			UB PAY		915556	0
Payment	002-00004	Active		GARY GRO	396 KIM L	\$48.74		\$98.74	8/8/2023	8/8/2023			UB PAY		915556	0

Trans Type	Account	Nur Acct	Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	Last Due Da	Trans Desc	Void Note	Pay ID	Void ID
Penalty	002-00004	Active	GARY GRO	396 KIM L		\$50.00	\$147.48	8/8/2023	8/8/2023				ADDING L			0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$97.48	7/31/2023	7/31/2023	8/25/2023	8/25/2023	8/25/2023	UB Bill Tra			0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	6/27/2023	6/27/2023	7/25/2023	7/25/2023	7/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	6/22/2023	6/22/2023				UB PAY		912186	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	5/30/2023	5/30/2023	6/25/2023	6/25/2023	6/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	5/17/2023	5/17/2023				UB PAY		908861	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	4/28/2023	4/28/2023	5/25/2023	5/25/2023	5/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	4/27/2023	4/27/2023				UB PAY		907708	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	3/30/2023	3/30/2023	4/25/2023	4/25/2023	4/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	3/16/2023	3/16/2023				UB PAY		904708	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	2/28/2023	2/28/2023	3/25/2023	3/25/2023	3/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	2/15/2023	2/15/2023				UB PAY		902042	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	1/30/2023	1/30/2023	2/28/2023	2/28/2023	2/28/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	1/17/2023	1/17/2023				UB PAY		900519	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	12/30/2022	12/30/2022	1/25/2023	1/25/2023	1/25/2023	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	12/19/2022	12/19/2022				UB PAY		878678	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	11/30/2022	11/30/2022	12/25/2022	12/25/2022	12/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	11/10/2022	11/10/2022				UB PAY		876566	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	10/31/2022	10/31/2022	11/25/2022	11/25/2022	11/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	10/26/2022	10/26/2022				UB PAY		874935	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	9/30/2022	9/30/2022	10/25/2022	10/25/2022	10/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	9/18/2022	9/18/2022				UB PAY		872647	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	8/30/2022	8/30/2022	9/25/2022	9/25/2022	9/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	8/17/2022	8/17/2022				UB PAY		870867	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	7/28/2022	7/28/2022	8/25/2022	8/25/2022	8/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$0.00	7/25/2022	7/25/2022				UB PAY		869117	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	6/30/2022	6/30/2022	7/25/2022	7/25/2022	7/25/2022	UB Bill Tra			0

Trans Type	Account	Nur Acct	Status	Full Name	Service	Add	Trans Amt	Billing	Balat	Trans Date	Source Date	Due Date	ast Due	Trans Desc	Void Note	Pay ID	Void ID
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$0.00	6/20/2022	6/20/2022	6/20/2022			UB PAY		866925	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$48.74	5/31/2022	6/1/2022	6/25/2022	6/25/2022	6/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$0.00	5/19/2022	5/20/2022	5/25/2022	5/25/2022	5/25/2022	UB PAY		865138	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$48.74	5/3/2022	5/3/2022	5/25/2022	5/25/2022	5/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$0.00	4/20/2022	4/20/2022	4/25/2022	4/25/2022	4/25/2022	UB PAY		863385	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$48.74	3/30/2022	3/30/2022	4/25/2022	4/25/2022	4/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$0.00	3/23/2022	3/23/2022	3/25/2022	3/25/2022	3/25/2022	UB PAY		861516	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$48.74	3/1/2022	3/2/2022	3/25/2022	3/25/2022	3/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$0.00	2/15/2022	2/15/2022	2/25/2022	2/25/2022	2/25/2022	UB PAY		839456	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$48.74	\$48.74	\$48.74	1/31/2022	2/3/2022	2/25/2022	2/25/2022	2/25/2022	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$135.02	\$135.02	\$0.00	1/28/2022	1/28/2022	1/25/2022	1/25/2022	1/25/2022	UB PAY		838139	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$135.02	\$135.02	\$135.02	12/30/2021	1/3/2022	12/30/2021	12/30/2021	12/30/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$54.89	\$54.89	\$0.00	12/17/2021	12/18/2021	12/25/2021	12/25/2021	12/25/2021	UB PAY		835949	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$54.89	\$54.89	\$54.89	12/7/2021	12/7/2021	12/25/2021	12/25/2021	12/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$53.40	\$53.40	\$0.00	11/24/2021	11/27/2021	11/25/2021	11/25/2021	11/25/2021	UB PAY		834304	0
Pre-Payme	002-00004	Active	GARY GRO	396 KIM L		\$0.01	\$53.40	\$53.40	11/9/2021	11/9/2021	11/25/2021	11/25/2021	11/25/2021	Pre-Payme			0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$53.41	\$53.41	(\$0.01)	11/9/2021	11/9/2021	11/25/2021	11/25/2021	11/25/2021	UB Bill Tra			0
Pre-Payme	002-00004	Active	GARY GRO	396 KIM L		\$0.01	\$0.01	(\$0.01)	10/18/2021	10/18/2021	11/25/2021	11/25/2021	11/25/2021	UB PAY		812337	0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$68.71	\$68.71	\$0.00	10/18/2021	10/18/2021	10/25/2021	10/25/2021	10/25/2021	UB PAY		812337	0
Manual Pa	002-00004	Active	GARY GRO	396 KIM L		\$0.01	\$68.71	\$68.71	1/21/2021	10/7/2021				CHECK W		811613	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$68.72	\$68.72	\$68.72	9/30/2021	10/1/2021	10/25/2021	10/25/2021	10/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$63.07	\$63.07	\$0.00	9/9/2021	9/10/2021	9/25/2021	9/25/2021	9/25/2021	UB PAY		810542	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$63.07	\$63.07	\$63.07	8/31/2021	9/1/2021	9/25/2021	9/25/2021	9/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$93.31	\$93.31	\$0.00	8/11/2021	8/11/2021	8/25/2021	8/25/2021	8/25/2021	UB PAY		808882	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$93.31	\$93.31	\$93.31	7/30/2021	7/30/2021	8/25/2021	8/25/2021	8/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L		\$79.79	\$79.79	\$0.00	7/13/2021	7/13/2021	7/25/2021	7/25/2021	7/25/2021	UB PAY		807132	0
Bill	002-00004	Active	GARY GRO	396 KIM L		\$79.79	\$79.79	\$79.79	6/28/2021	6/28/2021	7/25/2021	7/25/2021	7/25/2021	UB Bill Tra			0

Trans Type	Account	Nur Acct Status	Full Name	Service Add	Trans Amt	Inning	Balar	Trans Date	Source Date	Due Date	Last Due Date	Trans Desc	Void Note	Pay ID	Void ID
Payment	002-00004	Active	GARY GRO	396 KIM L	\$75.74	\$0.00	6/7/2021	6/7/2021	6/7/2021			UB PAY		804774	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$75.74	\$75.74	5/28/2021	5/28/2021	6/25/2021	6/25/2021	6/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$73.04	\$0.00	5/12/2021	5/12/2021	5/12/2021			UB PAY		803575	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$73.04	\$73.04	4/28/2021	4/28/2021	5/25/2021	5/25/2021	5/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$83.84	\$0.00	4/13/2021	4/13/2021	4/13/2021			UB PAY		801983	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$83.84	\$83.84	3/26/2021	3/29/2021	4/25/2021	4/25/2021	4/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$101.55	\$0.00	3/19/2021	3/19/2021	3/19/2021			UB PAY		800502	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$101.55	\$101.55	3/1/2021	3/1/2021	3/25/2021	3/25/2021	3/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$110.79	\$0.00	2/4/2021	2/4/2021	2/4/2021			UB PAY		797436	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$110.79	\$110.79	1/27/2021	1/27/2021	2/25/2021	2/25/2021	2/25/2021	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$87.89	\$0.00	1/21/2021	1/21/2021	1/21/2021			UB PAY		796790	0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$100.01	\$87.89	12/31/2020	12/31/2020	12/31/2020			UB PAY		795448	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$87.89	\$187.90	12/23/2020	12/23/2020	1/25/2021	1/25/2021	1/25/2021	UB Bill Tra			0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$100.01	\$100.01	11/24/2020	11/24/2020	12/25/2020	12/25/2020	12/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$106.17	\$0.00	11/9/2020	11/9/2020	11/9/2020			UB PAY		792884	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$106.17	\$106.17	10/28/2020	10/28/2020	11/25/2020	11/25/2020	11/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$96.93	\$0.00	10/22/2020	10/22/2020	10/22/2020			UB PAY		781680	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$96.93	\$96.93	9/30/2020	9/30/2020	10/25/2020	10/25/2020	10/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$109.25	\$0.00	9/14/2020	9/14/2020	9/14/2020			UB PAY		779386	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$109.25	\$109.25	9/2/2020	9/2/2020	9/2/2020	9/2/2020	9/2/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$110.79	\$0.00	8/19/2020	8/19/2020	8/19/2020			UB PAY		778013	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$110.79	\$110.79	7/28/2020	7/27/2020	8/25/2020	8/25/2020	8/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$106.17	\$0.00	7/17/2020	7/17/2020	7/17/2020			CK# 581		776350	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$106.17	\$106.17	6/30/2020	6/30/2020	7/25/2020	7/25/2020	7/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$101.55	\$0.00	6/26/2020	6/26/2020	6/26/2020			UB PAY		775054	0
Bill	002-00004	Active	GARY GRO	396 KIM L	\$101.55	\$101.55	5/28/2020	5/28/2020	6/25/2020	6/25/2020	6/25/2020	UB Bill Tra			0
Payment	002-00004	Active	GARY GRO	396 KIM L	\$87.89	\$0.00	5/8/2020	5/8/2020	5/8/2020			UB PAY		772427	0

Trans Type	Account	Nur	Acct	Status	Full Name	Service	Add	Trans Amt	Inning	Balance	Trans Date	Source	Date	Due Date	Last Due	Trans Desc	Void Note	Pay ID	Void ID
Bill	002-00004			Active	GARY GRO	396	KIM L	\$87.89		\$87.89	4/27/2020	4/27/2020	5/25/2020	5/25/2020	5/25/2020	UB Bill Tra			0
Payment	002-00004			Active	GARY GRO	396	KIM L	\$98.47		\$98.47	4/9/2020	4/9/2020				UB PAY		760085	0
Bill	002-00004			Active	GARY GRO	396	KIM L	\$98.47		\$98.47	3/30/2020	3/30/2020	4/30/2020	4/30/2020	4/30/2020	UB Bill Tra			0
Payment	002-00004			Active	GARY GRO	396	KIM L	\$101.55		\$101.55	3/9/2020	3/9/2020				551		758483	0
Bill	002-00004			Active	GARY GRO	396	KIM L	\$101.55		\$101.55	2/26/2020	2/26/2020	3/25/2020	3/25/2020	3/25/2020	UB Bill Tra			0
Payment	002-00004			Active	GARY GRO	396	KIM L	\$71.69		\$71.69	2/13/2020	2/13/2020				537		757328	0
Bill	002-00004			Active	GARY GRO	396	KIM L	\$71.69		\$71.69	1/28/2020	1/28/2020	2/25/2020	2/25/2020	2/25/2020	UB Bill Tra			0
								\$8,141.55											



## MEMORANDUM

**To:** Town of Carthage Mayor and Board of Commissioners

**CC:** Emily Yopp, Town Manager

**From:** Brady Herman, The Brough law Firm, PLLC

**Date:** September 4, 2024

**Re:** S.L. 2024-26 (Section 7)<sup>1</sup> – a new law effective October 1, 2024 regarding pornography on government networks and devices

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The purpose of this memorandum is to provide an update to our municipal clients on a new law in North Carolina prohibiting pornography from being viewed on government networks and devices, which law becomes effective on October 1, 2024. The new law requires all public agencies, including local governments, to adopt (or update) a policy by January 1, 2025 governing the use of their networks and devices. Attached is a sample policy the Board could consider adopting in the upcoming months.

The law applies to all State agencies and offices of the members of the Council of State, including all boards, departments, divisions, constituent institutions of The University of North Carolina, community colleges, and other units of government in the executive branch; units of local government; public authorities; and public school units. Units of local government include municipal corporations; consolidated city-counties; and all boards, agencies, commissions, authorities, and institutions thereof.

The law defines pornography as “[a]ny material depicting sexual activity.” There are seven specific categories of “sexual activity” defined in G.S. § 14-190.13, however, nudity alone without sexual activity does not appear to be covered under this definition of “pornography.” The law also defines what is meant by “material,” which includes “[p]ictures, drawings, video recordings, films or other visual depictions or representations but not material consisting entirely of written words.”<sup>2</sup>

Devices to which this law applies include cellular phones, desktop or laptop computers, and other electronic equipment capable of connecting to a network. Public agencies are prohibited from permitting employees, elected officials, or appointees to view pornography on any devices owned, leased, maintained, or otherwise controlled by public agency. Additionally, public agencies shall not permit employees to view pornography on their public networks, even if their employees are using personal devices (elected officials and appointees, however, are omitted from this restriction).

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<sup>1</sup> This law will be codified as N.C. Gen. Stat. § 143-805.

<sup>2</sup> This definition is found in G.S. § 14-190.13. On December 1, 2024, the definition will be revised to also include “digital or computer-generated visual depictions or representations created, adapted, or modified by technological means, such as algorithms or artificial intelligence.” See S.L. 2024-37.

The new law does recognize exceptions for employees who need to access or view “pornography” as part of their official duties. This may include, but not limited to investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes; identifying potential security or cybersecurity threats; establishing, testing, and maintaining firewalls, protocols, and otherwise implementing G.S. § 143-805; participating in judicial or quasi-judicial proceedings; and/or researching issues related to the drafting or analysis of state laws as necessary to fulfill the requirements of the employee’s official duties.

There is no guidance in the law as to how public agencies must monitor their network or devices for pornography. However, there is a requirement that an annual report be submitted to the State Chief Information Officer (CIO) detailing pornography viewing or attempted viewing on the public agency’s network and devices.<sup>3</sup> These reports are due by August 1 of each year to the State CIO, starting in 2025, in a format to be determined by the State CIO.

Note the law also requires pornography saved on any devices owned, leased, maintained, or otherwise controlled by employees, elected officials, and appointees of public agencies be removed, deleted, or uninstalled no later than January 1, 2025. While no penalty is stated in the law for failing to do this, failure to do so would be a violation of the public agency’s adopted policy, with whatever consequences the policy includes.

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<sup>3</sup> The report must include the number of incidences of unauthorized viewing or attempted viewing of pornography on that public agency’s network; whether the unauthorized viewing was by an employee, elected official, appointee, or student of that public agency; and whether any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by that public agency. G.S. § 143-805(f).





# Town of Carthage

## *Resolution*

### RESOLUTION PROHIBITING VIEWING OF PORNOGRAPHY ON TOWN NETWORKS AND DEVICES

WHEREAS, N.C. Gen. Stat. § 143-805, effective October 1, 2024, states that a public agency shall not permit the viewing of pornography by its employees on a network of that public agency, and no public agency shall permit an employee, elected official, or appointee of that public agency to view pornography on a device owned, leased, maintained, or otherwise controlled by that public agency; and

WHEREAS, N.C. Gen. Stat. § 143-805 requires public agencies to adopt a policy governing the use of its network and devices owned, leased, maintained, or otherwise controlled by that public agency.

NOW, THEREFORE, BE IT RESOLVED that the following policy shall apply in the Town of Carthage:

No employee of the Town shall view pornography on any computer network owned, leased, maintained, or otherwise controlled by the Town, whether on a device controlled by the Town or on a privately owned, leased, maintained, or otherwise controlled device.

No employee, elected official, or appointee of the Town shall view pornography on a device owned, leased, maintained, or otherwise controlled by the Town.

Any employee, elected official, or appointee of the Town who has saved pornography to a device owned, leased, maintained, or otherwise controlled by the Town shall remove, delete, or uninstall the pornography no later than January 1, 2025.

Paragraphs 1, 2, and 3 shall not apply to an official or employee if the use falls under the provisions of G.S. § 143-805(d), but this use shall follow the recommendations for appropriate viewing of pornography issued by the State Chief Information Officer for the purposes under G.S. § 143- 805(d).

The terms used herein shall be defined as set forth in G.S. § 143-805(g).

Starting annually in 2025, no later than August 1, and in the format required by the State Chief Information Officer, the Town Clerk shall report information to the State Chief Information Officer on the number of incidences of unauthorized viewing or attempted viewing of pornography on the Town's network.

Any employee of the Town who becomes aware of a violation of any provision of this policy shall report the violation to the Town Manager/Clerk. If the violation was by an appointee of the Board of Commissioners, the Town Manager/Clerk shall report the violation to the Board of Commissioners unless the appointee first resigns from the position held.

Any employee of the Town who violates any provision of this policy shall be subject to disciplinary action under Article IX of the Town's personnel policy.

Any appointee of the Town who violates any provision of this policy shall be subject to removal by the Board of Commissioners.

This resolution shall be in full force and effect upon its passage.

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The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted and ordained this 16<sup>th</sup> day of September 2024.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent/Excused: \_\_\_\_\_

\_\_\_\_\_  
Jimmy Chalflinch, Mayor

Attest:

\_\_\_\_\_  
Kimberly Gibson, Town Clerk



## MEMORANDUM

Date: September 16, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: Call for a Public Hearing for a Text Amendment for UDO Section 100.56A\* Special Requirements 37 "Wireless Telecommunication Facilities"; Petitioner: Town of Carthage

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### SUMMARY OF REQUEST

The Town of Carthage would like to call the public hearing for the text amendment to UDO Section 100.56A\* Special Requirements 37 "Wireless Telecommunication Facilities" (WTF). The Town attorney helped the Town Planner realize that some of the language in the WTF is not as descriptive or thorough as it needs to be. Therefore, there is a text amendment to help improve the clarity of this section.

### SUGGESTED MOTION(S)

#### OPTION 1

I move to call a Public Hearing for the purpose of hearing the text amendment request for WTF at the regular scheduled meeting scheduled on Monday, October 21, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street.

#### OPTION 2

I move to deny a Public Hearing for the purpose of considering the text amendment request for the WTF for the following reason(s): \_\_\_\_\_