

207 West Second Street
Post Office Box 519
Kenly, North Carolina 27542



Telephone: (919) 284-2116
Fax: (919) 284-5229
Website: www.townofkenly.com

September 12, 2022
Regular Town Council Meeting
Agenda

1. CALL TO ORDER

- Call to Order – *Mayor Herbert Hales, II*
- Invocation – *Council Member Keith Davis*
- Pledge of Allegiance – *Mayor Herbert Hales, II*

2. PUBLIC COMMENT

This portion of the meeting is an opportunity for citizens to speak on any issue concerning the Town of Kenly. Please note that each citizen is limited to a total of 3 minutes. Please direct all comments/concerns to the entire council rather than individual members. Further, it should be noted that the Town Council reserves the right to not act on items first presented at this meeting.*

**This time may be adjusted based on the number of citizens who wish to speak.*

3. ADJUSTMENT/ADOPTION OF THE AGENDA

- a. Adjustments to the Agenda
- b. Adoption of the Agenda

POTENTIAL ACTION: Adoption of Agenda

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes
 - August 8, 2022 – Regular Session
 - August 8, 2022 – Closed Session
 - August 30, 2022 – Special Session
 - August 30, 2022 – Closed Session
 - September 6, 2022 – Emergency Session

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Issuance of Oath to Interim Town Manager
Presenter: Mayor Hales
 - Tony Sears – Interim Town Manager

7. PUBLIC HEARINGS

a. Rezoning – R-20 & R-6 to R6

- 416 S. Gardner Avenue

Presenter: Dale Holland, Interim Planning Director

Attachments:

- Staff Report
- Application
- Map
- Newspaper Advertisement
- Ordinance

POTENTIAL ACTION: Adoption or Denial of Ordinance #2022-09-01

b. Rezoning – B-2 to R-6

- Bay Valley Road – Parcel #03q03034Y

Presenter: Dale Holland, Interim Planning Director

Attachments:

- Staff Report
- Application
- Map
- Newspaper Advertisement
- Ordinance

POTENTIAL ACTION: Adoption or Denial of Ordinance #2022-09-02

c. Text Amendment – Code of Ordinance

- Section 156.203

Presenter: Dale Holland, Interim Planning Director

Attachments:

- Staff Report
- R-6 Zoning Map
- Newspaper Advertisement
- Ordinance

POTENTIAL ACTION: Adoption or Denial of Ordinance #2022-09-03

8. NEW BUSINESS

- a. Stormwater Funding Resolution - Grant Application for Stormwater Study
Presenter: Michael McAllister, Principal Project Manager – Municipal Engineering

Attachment:

- Resolution

POTENTIAL ACTION: Adoption or Denial of Resolution #2022-03

- b. Resolution Authorizing Deputy Finance Officer – Bank Signatory
Presenter: Tony Sears, Interim Town Manager

Attachment:

- Resolution

POTENTIAL ACTION: Adoption or Denial of Resolution #2022-04

- c. Resolution Preliminary Authorization of Sewer Capacity
Presenter: Dale Holland, Interim Planning Director

Attachment:

- Staff Report
- Request
- Correspondence from Municipal Engineering
- Resolution

POTENTIAL ACTION: Adoption or Denial of Resolution #2022-05

9. OLD BUSINESS

10. TOWN MANAGER / STAFF REPORTS

- a. Town Manager
- b. Town Clerk
- d. Town Attorney

11. OTHER BUSINESS

- a. Informal Discussion
- b. Council Member Comments

12. CLOSED SESSION

- a. Closed Session Pursuant to NCGS 143.318.11(a)(3)

POTENTIAL ACTION: Motion to Go Into Closed Session

13. ADJOURNMENT

- a. Adjourn the Meeting

POTENTIAL ACTION: Motion to Adjourn

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August 8, 2022
Regular Town Council Meeting
Minutes

COUNCIL PRESENT:

Herbert Hales II, Mayor
Mark Smith, Mayor Pro Tem
Lawanda Neal, Council Member
Bobby Peele, Council Member
Trinity Henderson, Council Member
Keith Davis, Council Member

STAFF PRESENT:

Justine Jones, Town Manager
Kimberly Moffett, Interim Town Clerk
Dale Holland, Interim Planning Director
Chip Hewitt, Town Attorney

COUNCIL ABSENT:

1. CALL TO ORDER

- Call to Order – *Mayor Herbert Hales, II*
- Invocation – *Council Member Keith Davis*
- Pledge of Allegiance – *Mayor Herbert Hales, II*

Mayor Hales called the meeting to order at 7:00 p.m. Council Member Davis offered the Invocation and Mayor Hales led everyone in the Pledge of Allegiance.

2. PUBLIC COMMENT

This portion of the meeting is an opportunity for citizens to speak on any issue concerning the Town of Kenly. Please note that each citizen is limited to a total of 3 minutes. Please direct all comments/concerns to the entire council rather than individual members. Further, it should be noted that the Town Council reserves the right to not act on items first presented at this meeting.*

**This time may be adjusted based on the number of citizens who wish to speak.*

Rochelle Jones, a resident, was present and stated she was present to show support of new Town Manager. She feels change is good and offered her thanks to the council. She stated that she personally emailed the former Chief of Police.

A local resident from Lucama was present and stated he wished to share his concerns about the loss of the police department. He stated he lost his son and that he had concerns about the local police presence. He asked that they bring the police chief back.

Ms. Knight a resident offered her appreciation to the council. She stated that change is difficult and there are times that folks with the best resume might not be the right fit. She stated she is not sure about what is currently going on and does not feel it is appropriate to make decisions without all information. She stated she had hoped that council would have requested previous employees to rescind their resignations for an extended period of time. She offered appreciation to town staff for history of good service.

Ms. Woodall was present and stated she was in support of the Police Department.

Mr. Woodall was present and stated Kenly has always been a great place to live. He stated he just wanted to see the town be safe and continue to maintain the good way of life everyone has enjoyed.

Ms. Dance, a resident for 60 years, stated she is concerned about the safety of the town, but further stated that she did not feel the reasons members of the Police Department resigned were sufficient for the mass resignations. She further stated she felt we needed to move forward with change and fill the vacancies.

At 7:15 p.m. Mayor Hales called for a 5-minute recess.

The meeting was called to order at 7:20 p.m.

3. ADJUSTMENT/ADOPTION OF THE AGENDA

a. Adjustments to the Agenda

Ms. Moffett requested that the following amendments be made to the agenda:

Addition of two resolutions under New Business as Items 8a & 8b as well as an additional report under the Town Manager Report.

b. Adoption of the Agenda

ACTION: Motion to Adopt Agenda with Adjustments

Motion: Council Member Davis

Second: Council Member Neal

Vote: Unanimous

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

a. Draft Minutes

- July 11, 2022

b. Certificate of Sufficiency - Annexation # 1-2022

- Phase II - Cottonfield Subdivision - Parcel #03Q02010E

c. Set Public Hearing for September 12, 2022 - Rezoning

- Parcel #03R01032

Set Public Hearing for September 12, 2022 - Consider Revision to Town of Kenly UDO

- Section 159.203 - General Use Districts

ACTION: Motion to Adopt the Consent Agenda as Presented

Motion: Council Member Smith
Second: Council Member Davis
Vote: Unanimous

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Issuance of Oath to Interim Town Clerk
Presenter: Mayor Herbert Hales, II

Mayor Hales issued the Oath of Office to Kimberly A. Moffett, who will be serving as the Interim Town Clerk.

7. PUBLIC HEARINGS

- a. Annexation #01-2022
• Phase II – Cottonfield Subdivision – Parcel #03Q02010E
Presenter: Dale Holland, Interim Planning Director

Mr. Holland stated the date of annexation needs to be set. The choice is either immediately or it can be set for June of 2023. It was the recommendation of Mr. Holland that the date be immediate.

ACTION: Motion to Adopt Ordinance #2022-07-01

Motion: Council Member Smith
Second: Council Member Peele
Vote: Unanimous

- b. Zoning – R-11
• Phase II – Cottonfield Subdivision – Parcel #03Q02010E
Presenter: Dale Holland, Interim Planning Director

Mr. Holland was present and stated the requested zoning for this parcel refers to the above annexation. The R-11 district is much more restrictive than the current zoning of Agricultural Zoning which is in effect in Johnston County. It will be single family residential development. The planning board unanimously recommended zoning of R-11.

ACTION: Motion to Adopt Ordinance #2022-07-02

Motion: Council Member Davis
Second: Council Member Smith
Vote: Unanimous

8. NEW BUSINESS

- a. Advertising of Public Hearings Discussion

Presenter: Dale Holland, Interim Planning Director

Mr. Holland shared information about authorizing staff to proceed with the schedule of Public Hearings. This will help to ensure that hearings are scheduled as expeditiously as possible.

Ms. Moffett stated the only deviation would be with regard to setting public hearings for annexations.

There were no questions from council related to this item.

ACTION: Motion for Staff to Set Public Hearings

Motion: Council Member Henderson
Second: Council Member Neal
Vote: Unanimous

- b. Resolution Authorizing Representatives as Designated Finance Officers
Presenter: Justine Jones, Town Manager

A resolution was presented that would designate those able to sign checks for the town. Included on the resolution was Justine Jones, Town Manager and Mayor Hales. There was brief discussion and it was agreed that Mayor Pro Tem and the Interim Town Clerk be added as signatories as well.

ACTION: Motion to Adopt Resolution #2022-01 with added names as noted

Motion: Council Member Davis
Second: Council Member Henderson
Vote: Unanimous

- c. Resolution Accepting FY 21-22 Tax Statement from Wilson County
Presenter: Justine Jones, Town Manager

ACTION: Motion to Adopt Resolution #2022-02

Motion: Council Member Davis
Second: Council Member Peele
Vote: Unanimous

9. OLD BUSINESS

10. TOWN MANAGER / STAFF REPORTS

- a. Town Manager

Presenter: Justine Jones, Town Manager

- Update on Utility Billing Mailing

Ms. Jones stated there were several phone calls regarding utility bills not being received.

She did state that all bills were sent on time and further stated she was doing some additional research and would provide an update when available.

- Update of Johnston County Sheriff Office

Ms. Jones reported there were a total of 113 calls for service with 94 being resident/business checks, 2 B&E motor vehicles, 2 disturbances, 2 unknown type calls, 2 burglar alarms, 3 attempts to locate, 5 suspicious person or vehicle, 1 trespass and 1 child custody issue.

Council Member Henderson asked if there were any issues with response time. Ms. Jones stated she did not have that information but would be happy to gather that information.

- Staff Update

Ms. Jones shared information about the interim staff, to include Kimberly Moffett. She also stated that another employee has stepped in to assist as well. Training will be offered shortly.

- Payroll Update

Ms. Stroud, CPA firm, was present and shared details about the team that was assembled to assist with payroll. She shared information about issues, to include password verification, etc. She stated they have worked with local IT and software vendors to obtain required permissions. She shared details about why direct deposit was unable to be processed. She shared background information regarding the need for cashier checks. Ms. Stroud stated that all taxes had been submitted as well as ORBIT and outstanding AP payments.

Mayor Hales stated that it would be prudent to have any paycheck discrepancies for any employee be shared with them. Ms. Stroud asked that any issue be reported to Ms. Jones for correction/explanation.

- Investigation Update

Attorney Hewitt provided an update and stated the investigation is ongoing and any update would be shared during a closed session.

Council asked if there were any updates regarding Mike McAllister. Ms. Jones stated there were no updates to provide.

- Powell Bill

Ms. Jones stated all required reports had been completed and filed today. Mayor stated he had previous conversation with state personnel who advised forms needed to be submitted by today. Ms. Jones stated we should be good to go.

- Miscellaneous

There was a question regarding increase in water bills. Mayor Hales stated all water is purchased from the county and the county recently increased rates. The new increase was effective July 1, 2022. It was stated that in the future any type of increase be noted on utility bills. Council Member Davis stated previously the town had absorbed increases previously but they were unable to do so this time.

Citizen stated she was unaware of exemption for filling of pool. Council explained the process and reasons for an exemption on water bills.

Mayor Hales stated he hoped to be able to offer live streaming of council meeting.

b. Town Clerk

Presenter: Kimberly A. Moffett, Interim Town Clerk

- Proposed Utility Billing Adjustments

ACTION: Motion to Approve Adjustments as Presented

Motion: Council Member Davis
Second: Council Member Smith
Vote: Unanimous

d. Town Attorney

11. OTHER BUSINESS

a. Informal Discussion

b. Council Member Comments

12. CLOSED SESSION

Attorney Hewitt requested a Closed Session pursuant to 143-318.11 (a)(6).

ACTION: Motion to Go into Closed Session

Motion: Council Member Smith
Second: Council Member Davis
Vote: Unanimous

13. ADJOURNMENT

a. Adjourn the Meeting

Council returned from Closed Session at 9:13 p.m.

ACTION: Motion to Return to Open Session

Motion: Council Member Davis
Second: Council Member Smith
Vote: Unanimous

With there being nothing further, the meeting was adjourned at 9:14 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Neal
Second: Council Member Henderson
Vote: Unanimous

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert Hales
Mayor
Town of Kenly

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Kenly

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Kenly, North Carolina 27542



Telephone: (919) 284-2116
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Website: www.townofkenly.com

August 30, 2022 – 6:00 p.m.
SPECIAL Town Council Meeting
Minutes

COUNCIL PRESENT:

Herbert Hales II, Mayor
Mark Smith, Mayor Pro Tem
Lawanda Neal, Council Member
Bobby Peele, Council Member
Trinity Henderson, Council Member
Keith Davis, Council Member

STAFF PRESENT:

Justine Jones, Town Manager
Kimberly Moffett, Interim Town Clerk
Chip Hewitt, Town Attorney

COUNCIL ABSENT:

1. CALL TO ORDER

- Call to Order – *Mayor Herbert Hales, II*
- Invocation – *Council Member Keith Davis*
- Pledge of Allegiance – *Mayor Herbert Hales, II*

Mayor Hales called the meeting to order at 6:00 p.m. Council Member Davis offered the Invocation and Mayor Hales led everyone in the Pledge of Allegiance.

2. CLOSED SESSION

- a. Closed Session Pursuant to NCGS 143.318.11(a)(6) to discuss personnel matters.

ACTION: Motion to Go into Closed Session at 6:02 p.m.

Motion: Council Member Neal
Second: Council Member Smith
Vote: Unanimous

Council returned from Closed Session at 7:55 p.m.

ACTION: Motion to Terminate Contract with Town Manager Jones

Motion: Council Member Smith
Second: Council Member Henderson
Vote: Motion carried 3-2 / Opposed: Council Members Neal & Davis

3. ADJOURNMENT

a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:58 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Neal

Second: Council Member Henderson

Vote: Unanimous

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert Hales, II
Mayor
Town of Kenly



STAFF REPORT – AGENDA ITEM 7A

TO: Mayor and Town Council

SUBMITTED BY: Dale Holland, Planning Department

SUBJECT: Rezoning of 416 S Gardner Ave.

DATE: August 30, 2022

SUMMARY STATEMENT

Michael Paul has requested the rezoning of 416 S. Gardner Avenue to R-6

REVIEW

416 S. Gardner Avenue is currently split zoned with the Western side of the property zoned R-20 and the East side of the property is zoned R-6 (See attached Map). The owner desires to develop the property with R-6 zoning. The property adjacent to the eastern side of the parcel is zoned R-6. The requested rezoning is consistent with the Town of Kenly Comprehensive Plan.

RECOMMENDATION:

The Town Staff recommended the requested rezoning be approved. The Town of Kenly Planning Board recommended by a unanimous vote that the proposed rezoning be approved by the Town Council.

ATTACHMENT(S)

One map.



Town of Kenly **R-6** Zoning ~~Permit~~ Application
\$100.00

PLEASE RETURN TO:
Town of Kenly
207 W. Second St. - PO Box 519
Kenly, NC 27542
919-588-5090 (Main)
919-284-5229 (Fax)
TOTAL DUE \$ 100.00
CHECK CASH DEBIT

Applicant Information:

Name Michael PAUL Phone 919-349-8186 Email claireproperties1@gmail.com
Address 2256 Crockers Nub Rd Middlesex NC 27557

Property Information:

Name Claire Properties LLC Phone 919-349-8186 Email claireproperties1@gmail.com
Address 416 S GARDNER AVE

Zoning Permit Requested: (Check all that apply)

COMMERCIAL ZONING RESIDENTIAL ZONING (See Fee Chart)

Land Use Building Sign Other

Application to rezone a split zoned property to R-6

Proposed Use Requested: (Check all that apply)

Single Family Duplex Multi Family Manufactured Home Business

Accessory Structure Alteration/Repair Swimming Pool Fence

Check # 2689

Business Name/Type of Work: _____

Address of Project (Street # Required) _____

NC PIN or Tax ID _____ Zoning _____ Sq. Ft. _____

Setbacks: Front 20 Rear 20 Sideyard/Corner 6 **R-6**

Manufactured Home Information: Make _____ Year _____ Dimensions _____

Serial # _____ UL HUD# _____

Applicant Signature Michael Paul Date 6/30/22

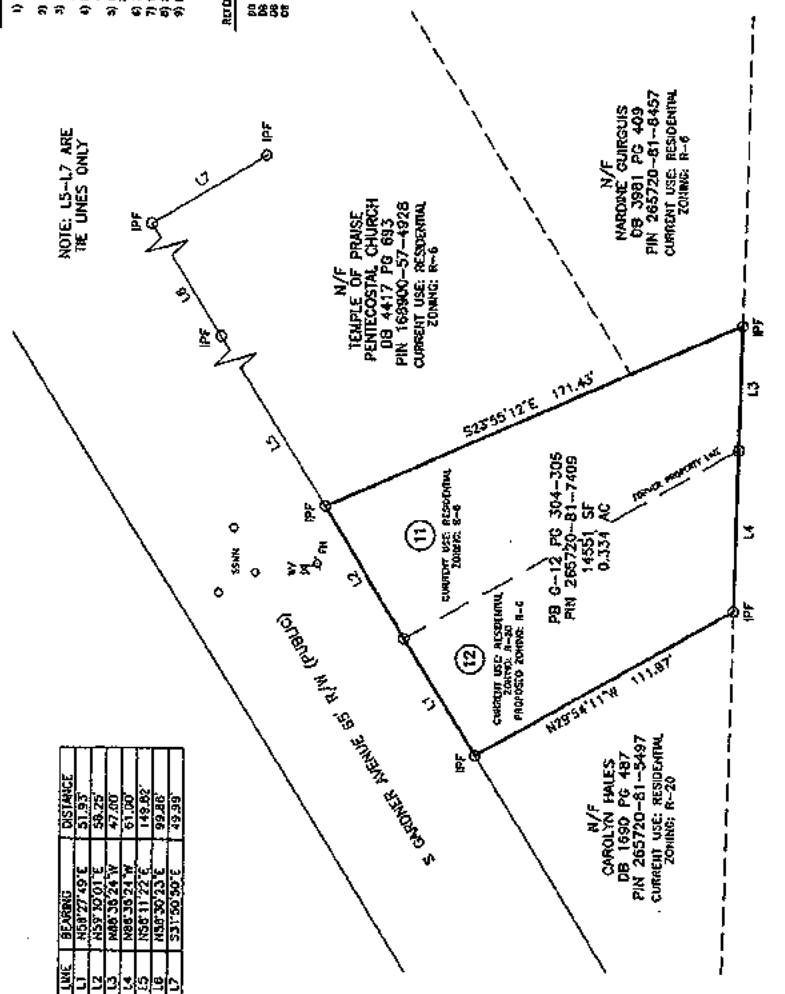
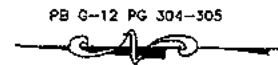
Town of Kenly Staff Signature [Signature] Date 6/30/22

Return this page to the Town of Kenly

- NOTES:**
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL, GROUND DISTANCES.
 - 2) AREAS COMPUTED BY COORDINATE METHOD.
 - 3) PROPERTY SHOWN SET TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 - 4) NO. 5 NEAR RIGHT STAKES MARK CHAS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
 - 5) ALL DISTANCES ARE HORIZONTAL UNLESS OTHERWISE NOTED.
 - 6) ZONING LOT 11 A-4; LOT 12 R-20
 - 7) PARENT TRACT PLAT BOOK G-12 PG 304-305
 - 8) PARENT TRACT NO. 4 COMBINE
 - 9) PARENT TRACT PLS 265720-81-749

RECORDING:

PB G-12 PG 304-305
 PD 4417 PG 683
 DB 2881 PG 407
 DB 6333 PG 384
 DB 1890 PG 107



LINE	BEARING	DISTANCE
L1	N59°27'49\"/>	

RETURNING PLAT FOR

CLAIRE PROPERTIES, LLC
 BEULAH TOWNSHIP, JOHNSTON COUNTY
 NORTH CAROLINA
 JUNE 16, 2020

CLAIRE PROPERTIES, LLC
 BEULAH TOWNSHIP, JOHNSTON COUNTY
 NORTH CAROLINA
 JUNE 16, 2020

TRUE LINE SURVEYING, P.C.
 205 WEST MAIN STREET
 CLAYTON, N.C. 27520
 TELEPHONE: (919) 358-0427
 FAX: (919) 359-0428
 www.truelinesurveying.com

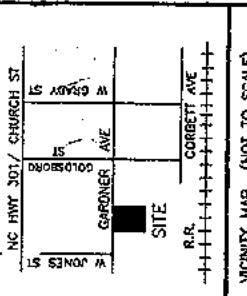
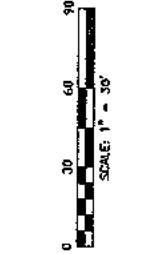
SWITCHED BY:	TRCY
OWNER:	TRCY
CREATED BY:	TRCY
DATE:	6/1/20
APP. BY:	TRCY

LEGEND

● 1/4\"/>

BRADY, CLARE PROPERTIES
 755 CROOKERS MILL RD
 HUNTERDON, NJ 07841

SITE ADDRESS: 416 S BRADY AVE
 (GEN), NC 27542



VICINITY MAP (NOT TO SCALE)

THIS SURVEY:

- A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A PLAT WHICH IS SUBJECT TO AN EASEMENT THAT REGULATES PARCELS OF LAND.
- B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY WHICH HAS A PLAT WHICH REGULATES PARCELS OF LAND.
- C. IS ONE OF THE FOLLOWING:
 - 1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OF MANY EXISTING PARCELS AND DOES NOT CREATE A NEW STRIP OR CHANGE AN EXISTING STREET.
 - 2) IS OF AN EXISTING PARCEL, SUCH AS A BEZON, WHICH IS A PART OF A LARGER PARCEL, SUCH AS A WATERCOURSE, SUCH AS A WATERCOURSE.
 - 3) IS A CORNER SURVEY.
 - 4) IS OF A PARCEL DESIGNATED FOR A PUBLIC UTILITY.
- D. IS OF AN EXISTING PARCEL, SUCH AS A BEZON, WHICH IS A PART OF A LARGER PARCEL, SUCH AS A WATERCOURSE, SUCH AS A WATERCOURSE.
- E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS ABLE TO MAKE A DETERMINATION OF THE ACCURACY OF THE SURVEYOR'S PROFESSIONAL OPINION AS TO THE PARCELS SHOWN BY (A) THROUGH (D) ABOVE.

PROPERTY SHOWN HEREON IS EXACT AS NOT LOCATED IN A P.D.A. DESCRIBED FLOOR TONE. SURVEYOR HAS CONDUCTED VISUAL INSPECTION OF THE AFFIDAVIT DATED DECEMBER 4, 2009.

DATE: _____ **SURVEYOR:** _____

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

I, **CLARE BRADY**, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ORIGINAL SURVEY MADE UNDER MY SUPERVISOR (SEE RECORDING REFERENCE) AND THAT THE BOUNDARIES NOT SURVEYED ARE EITHER OCCUPIED AS BEYOND FROM INFORMATION FURNISHED TO ME OR CALCULATED IS TRUE AND CORRECT. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 41-29 AS AMENDED, WITNESSED BY ME, CLARE BRADY, SURVEYOR, AND SEAL.

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

WE HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FOR REGISTRATION AND RECORDING ON THIS _____ DAY OF _____, 2020.

CLARE BRADY BY _____ **ASST. REC. OF RECORDS**

RECORDED IN PB _____ PG _____

DATE: _____ **SURVEYOR:** _____

INDEX NUMBER: _____

*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 1

Id: 03R01032
 Tag: 03R01032
 NCPin: 265720-81-7409
 Mapsheet No: 265720
 Owner Name 1: CLAIRE PROPERTIES, LLC
 Owner Name 2:
 Mail Address 1: 2256 CROCKERS NUB RD
 Mail Address 2:
 Mail Address 3: MIDDLESEX, NC 27557-8740
 Site Address 1: 416 S GARDNER AVE
 Site Address 2: KENLY, NC 27542-
 Book: 05072
 Page: 0775
 Market Value: 15530
 Assessed Acreage: 0.330
 Calc. Acreage: 0.336
 Sales Price: 14500
 Sale Date: 2020-08-14

Scale: 1:2515 - 1 in. = 209.58 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 sheet with no page scaling.)



Column

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Wilson Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at (252) 243-5151.

Notice ID: 4DWlaoFr6lPjsvGNh9Lh | Proof Updated: Aug. 23, 2022 at 12:08pm EDT
Notice Name: Two Rezoning 03Q03034Y & 03R01032

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
Sharon Evans sharon.evans@townofkenly.com (919) 284-2116	The Wilson Times

Columns Wide: 1	Ad Class: Legals
-----------------	------------------

08/26/2022: Other	49.50
09/02/2022: Other	49.50

Subtotal	\$99.00
Tax %	0.00
Processing Fee	\$9.90
Total	\$108.90

The Town of Kently Town Council will hold two public hearings regarding the following proposed rezonings.

- Parcel #03R01032 currently split zoned as R-11 and R-6. Proposed zoning is consistent with the town's comprehensive plan.
- Parcel #03Q03034Y currently zoned B-2. Proposed rezoning is R-6

The hearings will be held on Monday - September 12, 2022 at the regular town council meeting held at 207 West Second Street. The meeting will begin at 7:00 p.m.
The Wilson Times
August 26, September 2, 2022

ORDINANCE AMENDING LAND DEVELOPEMMENT PLAN – REZONING

Whereas, in accordance with the provisions of North Carolina General Statute 160D-605, prior to adopting or rejecting a zoning amendment, the governing body is required to adopt a statement approving or rejecting the zoning amendment and describe if the amendment is consistent or inconsistent with the comprehensive zoning plan and why Council considers the action taken to be reasonable and in the public interest; and

Whereas, the Kenly Planning Board has reviewed the proposed amendment to the official Kenly Zoning Map, for a parcel identified as #03R01032 located at 416 S. Gardner Avenue and currently having a split zone of R-20 and R-6 to rezone the entire parcel as R-6; and

Whereas, based on a review of the proposed amendment the Planning Board found that the proposed amendment is consistent with the Kenly Land Use Plan and further recommended that the Kenly Town Council approved the amendment; and

Whereas, the Council has reviewed and considered the above written recommendation of the Planning Board and held a public hearing on the proposed amendment, and the Council desires to approve the zoning amendment and adopt a statement describing why the proposed amendment is consistent with the Kenly Land Use Plan and updates, and further the Council considers the proposed amendment to be reasonable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED

1. The Kenly Town Council adopts this Ordinance approving the rezoning of Parcel #03R01032 from R-20 & R-6 to R-6.
2. The Council finds and determines that the adoption of the proposed amendment to the official zoning map of Kenly is consistent with the Kenly Land Use Plan and updates thereto because the Land Use Plan and updates indicate:
 - a. The amendment aligns with the Kenly Land Use Plan.
3. The Council finds and determines that it is reasonable and in the public interest to approve the proposed amendment because:
 - a. The request is reasonable and in public interest in that R-6 is compatible with surrounding land uses and zoning.'

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert Hales, II
Mayor
Town of Kenly

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk



STAFF REPORT – AGENDA ITEM 7B

TO: Mayor and Town Council

SUBMITTED BY: Dale Holland, Planning Department

SUBJECT: Rezoning request for parcel #03Q03034Y located on Bay Valley Rd, Kenly.

DATE: August 30, 2022

SUMMARY STATEMENT

Paul Bailey has submitted a request to zone parcel #03Q03034Y from B-2 to R-6.

REVIEW

The requested property is classified as medium density residential property by the Town's Comprehensive Plan. The proposed rezoning is adjacent on all sides to residential zoning (see attached map). Water and sewer are currently available to the property. Mr. Bailey contacted all adjacent property owners and did not receive any objection to the rezoning.

RECOMMENDATION:

The town staff recommended the rezoning to the Planning Board. On August 16, 2022 the Planning Board unanimously recommended that the Town Council rezone the property to R-6.

ATTACHMENT(S)

One Map



Town of Kenly Planning & Zoning
 Rezoning/Special Use Application
 207 W. Second St.
 Kenly, NC 27542
 919-284-2116
www.townofkenly.com

REZONING PETITION

APPLICANT INFORMATION

Name of Applicant/Petitioner: JPK&A LLC
 Mailing Address of Applicant: 360 Pate Road, Fremont, NC 27830
 Telephone: 9199153499 Email: ridgelandllc360@gmail.com
paul.bailey77@outlook.com

PROPERTY INFORMATION

Owner(s) Name: Mark Etheridge
 Mailing Address of Owner(s): Same as above
 Telephone: _____ Email: Same
 Site Address: Bay Valley Rd 265715-62-1547
 Parcel ID: 030030344 State Road #: _____
 Township: _____ Deed: _____ Page: 0070

ZONING INFORMATION

Current Zoning: B-2 Requested Zoning District: R-6
 Acres Being Rezoned: 6.61 Total Acres in Parcel: 6.61

USE INFORMATION

List Requested Uses: Requesting R-6 / All uses in the
R-6 district considered

We, JPK&A LLC, authorize Paul Bailey as agent
 to apply for rezoning, etc. as needed for residential
 development.

Mark Etheridge, Member Manager
 Mark E. Etheridge 7/19/22

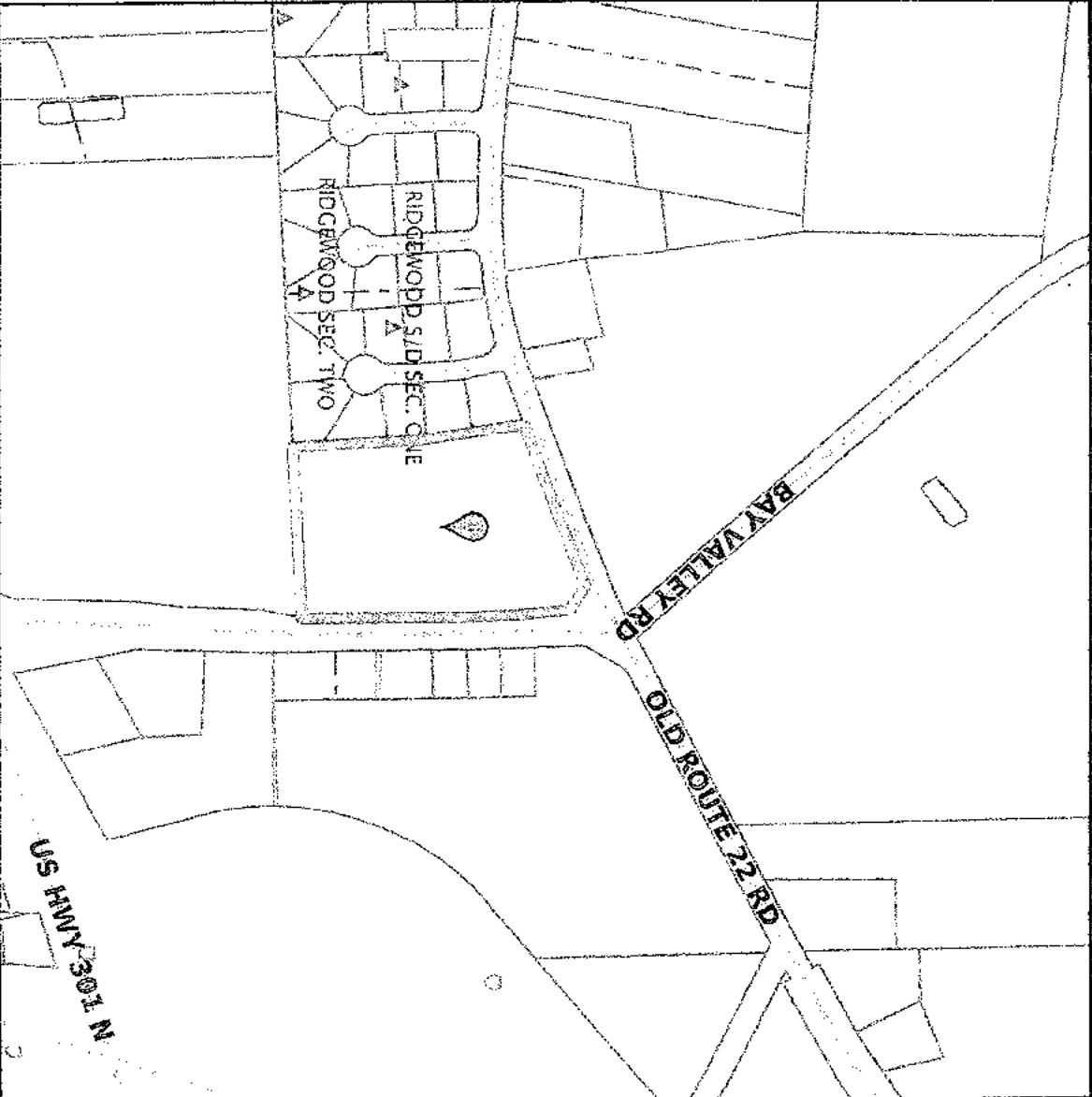
Z. W. McHale
 TOWN OF KENLY

Johnston County assumes no legal responsibility for the information represented here.

*** DISCLAIMER ***

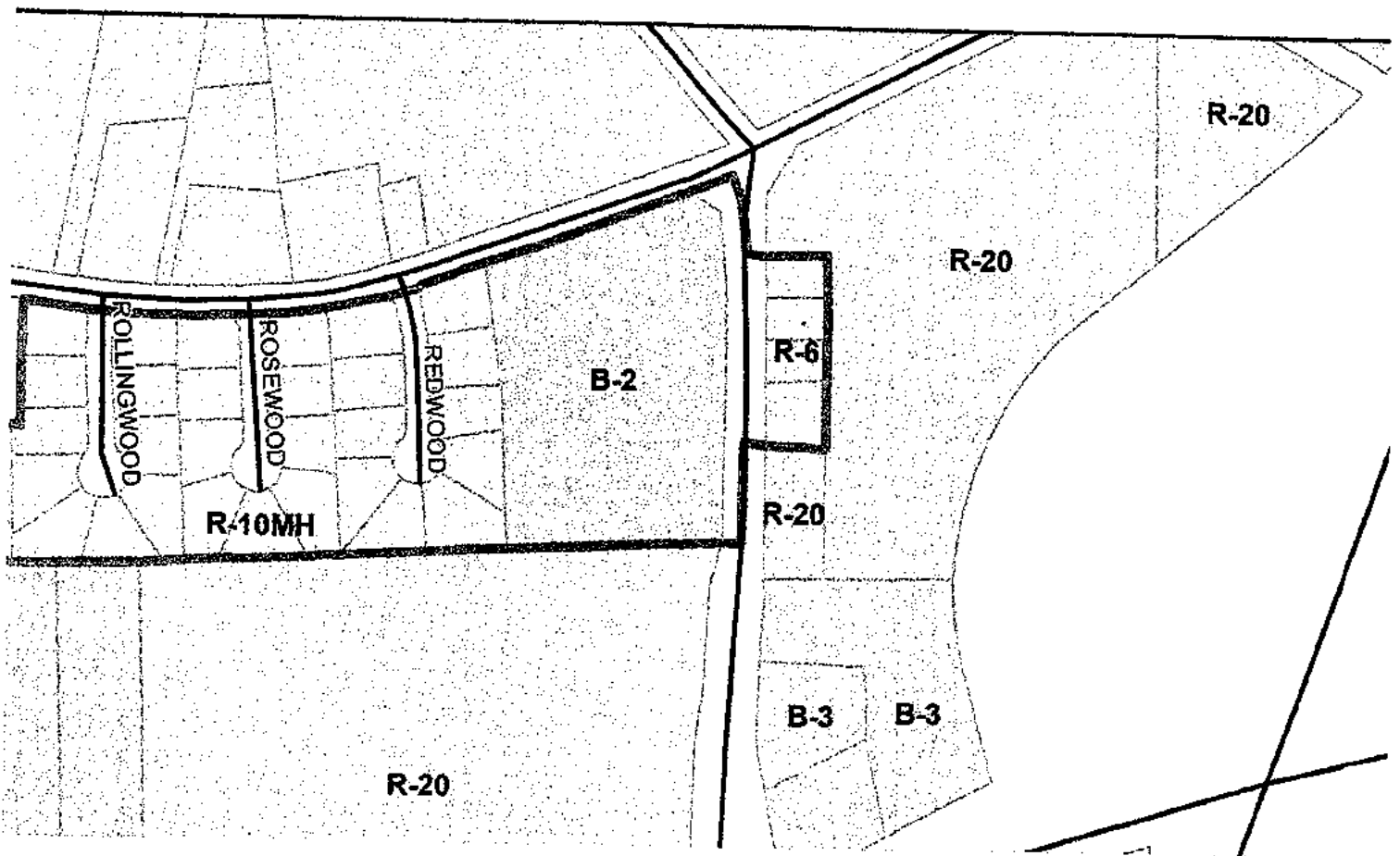
Result 1

Id: 03Q003034Y
 Tag: 03Q003034Y
 NCPin: 265715-62-1547
 Mapsheet No: 265715
 Owner Name 1: JPK&A LLC
 Owner Name 2:
 Mail Address 1: 360 PATB RD
 Mail Address 2:
 Mail Address 3: FREMONT, NC 27830-9154
 Site Address 1:
 Site Address 2:
 Book: 01817
 Page: 0070
 Market Value: 154390
 Assessed Acreage: 6.610
 Calc. Acreage: 6.491
 Sales Price: 0
 Sale Date: 1999-04-15



Scale: 1:5030 - 1 in. = 419.16 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)





INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Wilson Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at (252) 243-5151.

Notice ID: 4DWlaoFr6lPjstvGNh9Lh | Proof Updated: Aug. 23, 2022 at 12:08pm EDT
Notice Name: Two Rezonings 03Q03034Y & 03R01032

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
Sharon Evans	The Wilson Times
sharon.evans@townofkenly.com	
(919) 284-2116	

Columns Wide: 1	Ad Class: Legals
------------------------	-------------------------

08/26/2022: Other	49.50
09/02/2022: Other	49.50

Subtotal	\$99.00
Tax %	0.00
Processing Fee	\$9.90
Total	\$108.90

The Town of Kenly Town Council will hold two public hearings regarding the following proposed rezonings.

- Parcel #03R01032 currently split zoned as R-11 and R-6. Proposed zoning is consistent with the town's comprehensive plan.
- Parcel #03Q03034Y currently zoned B-2. Proposed rezoning is R-6

The hearings will be held on Monday - September 12, 2022 at the regular town council meeting held at 207 West Second Street. The meeting will begin at 7:00 p.m.
The Wilson Times
August 26, September 2, 2022

ORDINANCE AMENDING LAND DEVELOPEMNT PLAN – REZONING

Whereas, in accordance with the provisions of North Carolina General Statute 160D-605, prior to adopting or rejecting a zoning amendment, the governing body is required to adopt a statement approving or rejecting the zoning amendment and describe if the amendment is consistent or inconsistent with the comprehensive zoning plan and why Council considers the action taken to be reasonable and in the public interest; and

Whereas, the Kenly Planning Board has reviewed the proposed amendment to the official Kenly Zoning Map, for a parcel identified as #03Q03034Y located on Bay Valley Road and currently having zoning of B-2 to rezone the parcel as R-6; and

Whereas, based on a review of the proposed amendment the Planning Board found that the proposed amendment is consistent with the Kenly Land Use Plan and further recommended that the Kenly Town Council approved the amendment; and

Whereas, the Council has reviewed and considered the above written recommendation of the Planning Board and held a public hearing on the proposed amendment, and the Council desires to approve the zoning amendment and adopt a statement describing why the proposed amendment is consistent with the Kenly Land Use Plan and updates, and further the Council considers the proposed amendment to be reasonable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED

1. The Kenly Town Council adopts this Ordinance approving the rezoning of Parcel #03Q03034Y from B-2 to R-6.
2. The Council finds and determines that the adoption of the proposed amendment to the official zoning map of Kenly is consistent with the Kenly Land Use Plan and updates thereto because the Land Use Plan and updates indicate:
 - a. The amendment aligns with the Kenly Land Use Plan.
3. The Council finds and determines that it is reasonable and in the public interest to approve the proposed amendment because:
 - a. The request is reasonable and in public interest in that R-6 is compatible with surrounding land uses and zoning.'

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert Hales, II
Mayor
Town of Kenly

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk



STAFF REPORT – AGENDA ITEM 7C

TO: Mayor and Town Council

SUBMITTED BY: Dale Holland, Planning Department

SUBJECT: Amendment to Section 156.203€ General Use District Standards of The Town of Kenly

DATE: August 30, 2022

SUMMARY STATEMENT

The town of Kenly Planning Board has recommended an amendment to Section 156.203€ General Use District Standards of the Town of Kenly Unified Development Ordinances.

REVIEW

The following is the suggested amendment to the R-6 Zoning District regulations:

All R-6 zoned properties containing 11,000 or more square feet which existed on the date of this amendment, (insert adaption date), may be subdivided into two parcels. Subdivided parcels must meet the following requirements:

- Minimum lot size: 5,500 square feet
- Minimum street frontage: 50 feet adjacent to a public right-of-way
- Subdivided parcels may not be adjacent to parcels previously subdivided under the terms of this section
- All exiting subdivision regulations defined for the R-6 Zoning District shall apply with the exception of lot size as defined under this section

Maps are attached which identify all R-6 zoned property and all the lots which do not meet the minimum lot size of the 11,000 square feet. The proposed text amendment will increase the availability

Of some remaining vacant R-6 zoned properties. This will aid in improving the appearance of some remaining vacant parcels. In addition, the Town has received inquiries concerning the need to reduce the lot size of the remaining R-6 vacant lots.

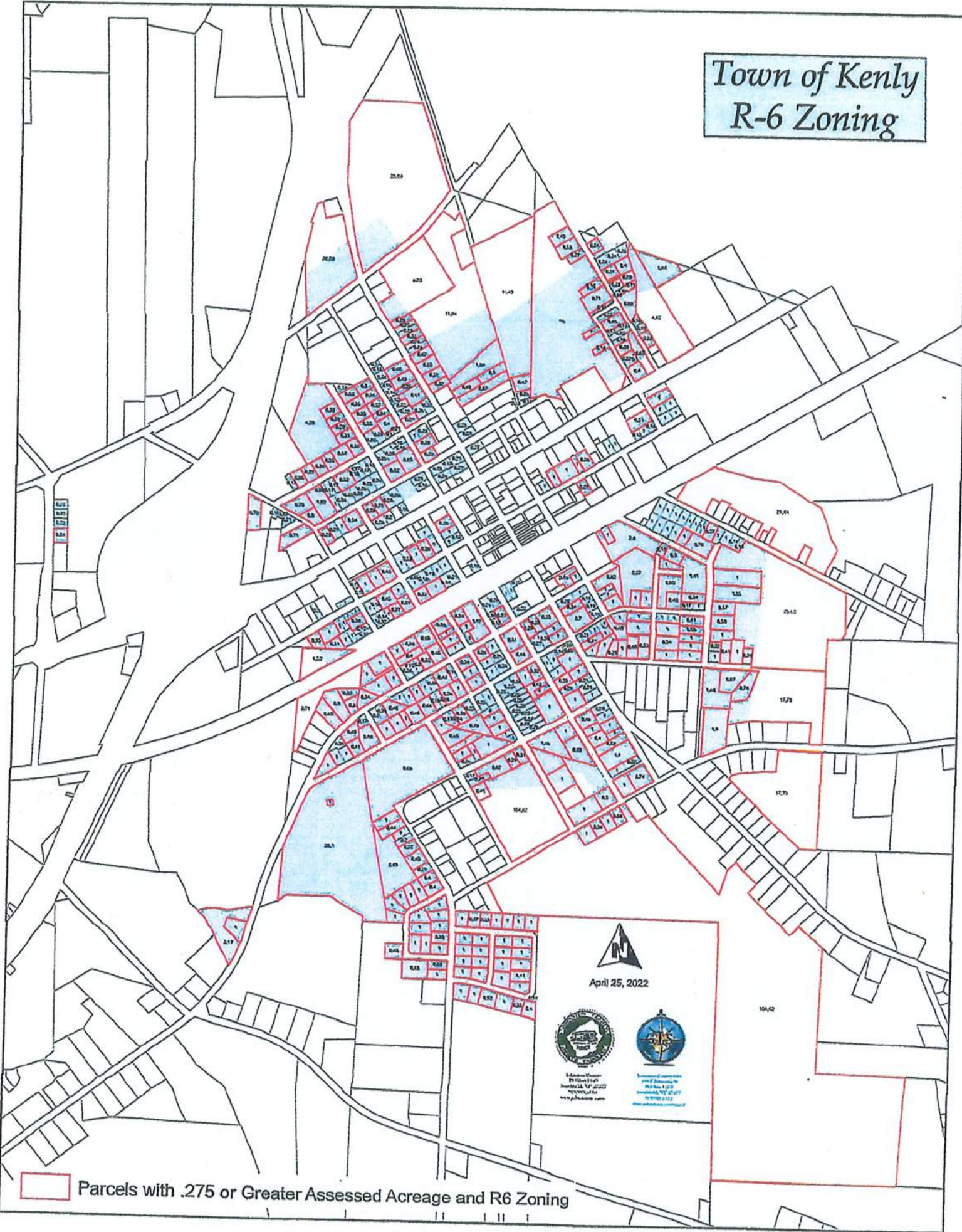
RECOMMENDATION:

The Town Staff recommended the amendment to the Planning Board. The Planning Board recommended approval to the Town Council by a four to three vote.

ATTACHMENT(S)

Two Town of Kenly R-6 Zoning Maps.

Town of Kenly R-6 Zoning



Parcels with .275 or Greater Assessed Acreage and R6 Zoning

April 25, 2022



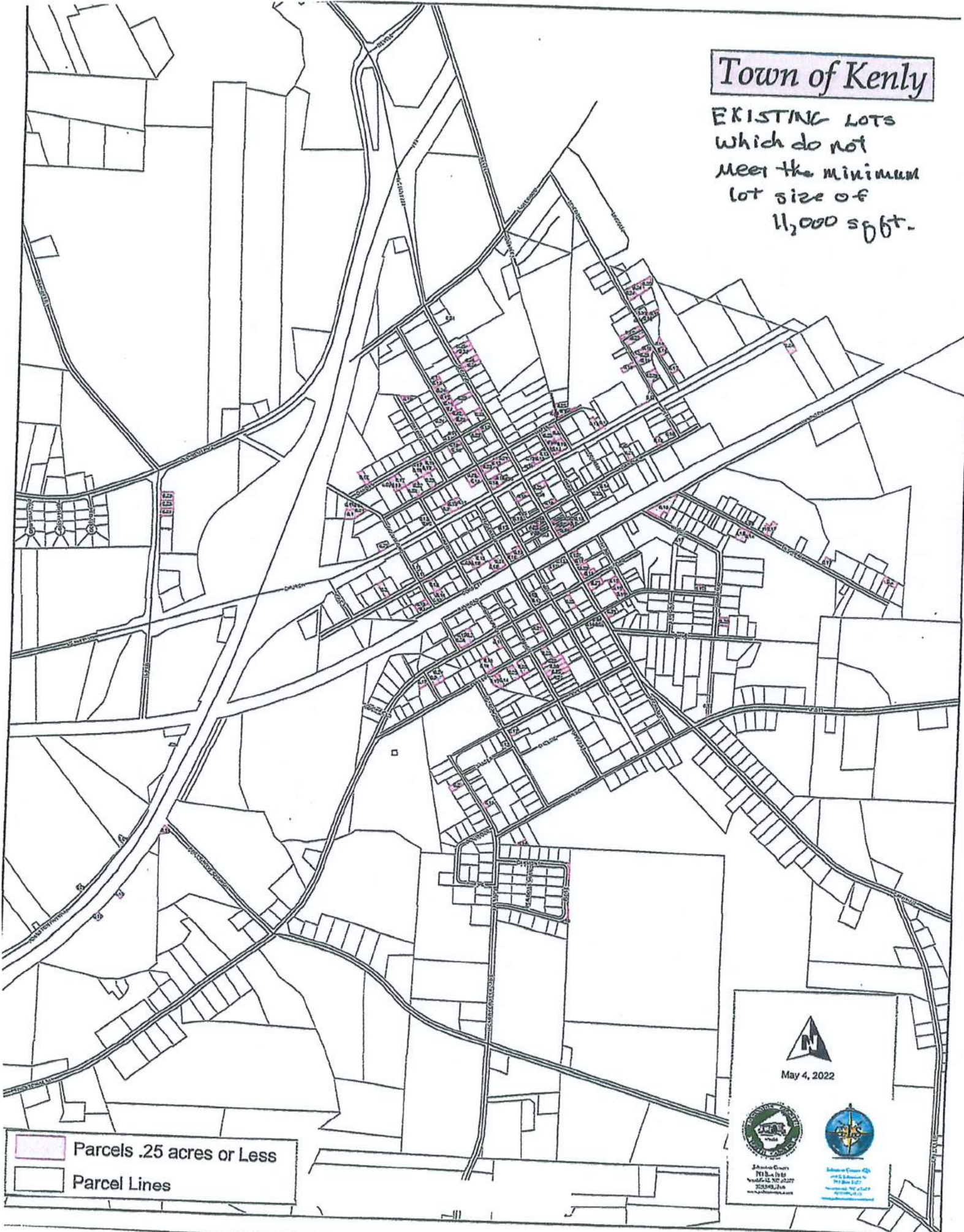
Planning Commission
111 Union Street
Kenly, NC 27529
www.planning.com



Board of Commissioners
111 Union Street
Kenly, NC 27529
www.townofkenly.com

Town of Kenly

EXISTING LOTS
which do not
meet the minimum
lot size of
11,000 sqft.



Parcels .25 acres or Less
Parcel Lines

North Arrow
May 4, 2022



Johnston County
PO Box 1916
27216-1916
www.johnstonnc.com

Johnston County
100 S. Salisbury St.
PO Box 1177
Raleigh, NC 27602
www.johnstonnc.com



Column

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Wilson Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at (252) 243-5151.

Notice ID: p1dhYPy9Ob90pSFB3Fpn | Proof Updated: Aug. 23, 2022 at 11:56am EDT
Notice Name: Proposed Text Amendment 156.203

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER Sharon Evans
sharon.evans@townofkenly.com
(919) 284-2116

FILING FOR The Wilson Times

Columns Wide: 1

Ad Class: Legals

09/02/2022: Other 33.50

Subtotal	\$38.50
Tax %	0.00
Processing Fee	\$3.85
Total	\$42.35

The Town of Kenly Town Council will hold a public hearing regarding a proposed text amendment to Section 156.203. - General Use District Standards specifically R-G zoned property and minimum lot size.

The hearing will be held on Monday - September 12, 2022 at the regular Town Council meeting held at 207 West Second Street. The meeting will begin at 7:00 p.m.

The Wilson Times
September 2, 2022

**TOWN OF KENLY
AMENDMENT TO THE CODE OF ORDINANCES
CHAPTER 156.203**

BE IT HEREBY ADOPTED THAT THE TOWN COUNCIL FOR THE TOWN OF KENLY, NORTH CAROLINA amends the Kenly Code of Ordinances, Chapter 156.203 to read as follows:

(E) *Residential districts.*

(1) *Residential subdivision types.* Development within the residential districts allows a variety of subdivision types. Two types of residential subdivisions are permitted, as follows.

(a) *Conventional residential subdivision.* Conventional residential subdivision is a pattern of residential development that provides a majority of property owners with substantial yards on their own property. Recreation and open space dedication or payment of a fee-in-lieu is required for conventional residential subdivisions.

(b) *Open space residential subdivision.* Open space residential subdivisions trade conventional minimum lot size and dimensions for additional common recreation and open space. An open space residential subdivision shall be a sufficient size to ensure adequate common recreation and open space can be incorporated into the subdivision design. An open space residential subdivision may allow additional density provided certain enhancements are incorporated into the design of the subdivision.

(c) *Conventional subdivision standards.*

(d) *Applicability.* A conventional residential subdivision is permitted in all residential districts subject to the following standards.

(e) *Density.* In the R-11 districts, townhouse parcels, apartment parcels and upper-story residential units shall not exceed a density of 10 units per acre. In the R-6 District, townhouse parcels, apartment parcels and upper-story residential units shall not exceed a density of 12 units per acre.

(f) *Development standards.* Applicants utilizing the conventional residential subdivision option shall meet all applicable development standards as set forth in §§ [156.400](#) through [156.405](#), General Development Standards and Natural Resource Protection. Applicants shall comply with all other provisions in this chapter and all other applicable laws.

(g) *Lots not served by public water and sewer.* No permit to install a septic tank system shall be issued until the County Health Director has determined by a field investigation of the area that the site is acceptable for a septic tank system and that such a system can be installed at the site in compliance with these rules and regulations. The field investigations

shall include evaluation of such factors as size and shape of lot or lots, character and porosity of soil, percolation rate, topography, depth of water table, rock or other impervious formations, location or proposed location of any water supply wells, and the success or failure history of any other septic tank systems in the area. The County Health Director shall not issue a permit if he or she determines that the site is not acceptable for septic tank systems.

(h) *Dimensional standards.* Applicants utilizing the conventional residential subdivision option shall meet the following standards. Applicants shall comply with all other provisions in this chapter and all other applicable laws.

(i) *R-6 zoned properties* containing 11,000 or more square feet which existed on September 12, 2022, may be subdivided into two parcels. Subdivided parcels must meet the following requirements:

- Minimum lot size of 5,500 square feet
- Minimum street frontage of 50 feet adjacent to a public right-of-way
- Subdivided parcels may not be adjacent to parcels previously subdivided under the terms of this section
- All existing subdivision regulations defined for the R-6 Zoning District shall apply with the exception of lot size as defined under this section.

Duly adopted this the 12th of September, 2022 while in regular session.

Herbert Hales, II
Mayor
Town of Kenly

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Kenly

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The **Town of Kenly** has need for and intends to construct, plan for, or conduct a study in a project described as Town of **Kenly Stormwater Planning/CIP/Rate Study**, and

WHEREAS, The **Town of Kenly** intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN OF KENLY OF THE TOWN COUNCIL:

That **Town of Kenly**, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the **Town of Kenly** to make a scheduled repayment of the loan, to withhold from the **Town of Kenly** any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That **Herbert L. "Tooie" Hales, II, Mayor**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert L. "Tooie" Hales, II
Mayor
Town of Kenly

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the **Town of Kenly** does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the **Kenly Town Council**, duly held on the **12th** day of **September 2022**; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.
IN WITNESS WHEREOF, I have hereunto set my hand this **12th** day of **September 2022**.

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Kenly

RESOLUTION AUTHORIZING REPRESENTATIVE(S) OF THE MUNICIPALITY BE DESIGNATED AS DEPUTY FINANCE OFFICERS

Whereas, NCGS 159-25 defines both the Finance Officer and Mayor as being authorized to sign cheques on behalf of the town should no other designation be made; and

Whereas, on August 8, 2022 while in regular session Kenly Town Council adopted Resolution #2022-01; and

Whereas, it is the desire of the Kenly Town Council to modify Resolution #2022-01 and remove the previous authorized signatories as follows; and

REMOVE:

<u>Name</u>	<u>Title</u>
Justine Jones	Town Manager

Whereas, it is the desire of the Kenly Town Council to replace the above signatory and authorize the following to sign and/or countersign checks on behalf of the Town of Kenly; a

ADD:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Tony Sears	Interim Town Manager	_____

This Resolution will be effective immediately and will remain until such time it is modified.

Duly adopted this the 12th day of September 2022, while in regular session.

Herbert Hales II
Mayor
Town of Kenly

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Kenly



STAFF REPORT – AGENDA ITEM 8C

TO: Mayor and Town Council

SUBMITTED BY: Dale Holland, Planning Department

SUBJECT: Request for Sewer Capacity

DATE: August 30, 2022

SUMMARY STATEMENT

The owner of Phase II Cottonfield, Dees Construction, has requested preliminary approval by the Town of Kenly for an allocation of 22,320 gallons per day (GPD) of sewer capacity.

REVIEW

Around the end of February/early March 2022 Dees Construction representatives, met with John Pitts, Town of Kenly Public Works Director, to discuss an allocation of 22,320 GPD to serve Phase II of the Cottonfield Subdivision. Mr. Pitts informed the owner that the Town would not consider an allocation of sewer capacity until the property was annexed and zoned. A petition for the annexation and zoning was submitted on April 25, 2022,

The Town of Kenly Planning Board recommended annexation of the property and R-11 zoning of the property to the Town Council on June 21, 2022. The Town Council approved the annexation and zoning on August 8, 2022. Dees Construction is now requesting the preliminary allocation of 22,320 GPD to Phase II Cottonfield (see attached email from Steve Sanderson, dated August 16, 2022). The allocation should be made contingent upon NCDEQ approval of a sewer extension permit. If the permit is not granted, the Town's sewer capacity allocation will not be granted.

According to Michael McAllister the Town has capacity available to serve Phase II Cottonfield (See attached email from Michael McAllister dated August 11, 2022). Please note that the Town Staff did not request preparation of the email.

RECOMMENDATION:

The Town Staff recommends approval of the request. Phase II Cottonfield cannot be developed without approval of the sewer capacity request.

ATTACHMENT(S)

Two separate emails.



Dale Holland, Interim Planning Director



John Pitts, Public Works Director

Cottonfield Phase 2 Sewer Allocation

From: Steven Sanderson <sandersonengineering@yahoo.com>

Sent: Tue, Aug 16, 2022 at 4:28 pm

To: dale.holland@townofkenly.com

Cc: Don Millard

Mr. Holland,

Thank you for your assistance and expertise with Cottonfield Phase 2.

The Town Council approved the annexation and rezoning of the property at its August 8th meeting; however, no formal sewer allocation has been given for this development.

The developers of this property need a formal allocation of sewer capacity for this subdivision for us to be able to move forward with design and construction.

Cottonfield Phase 2 is 62 single family lots to be constructed with 3 bedroom houses. The sewer allocation required by NCDEQ for permitting this development is $62 * 360 \text{ GPD} = 22,320 \text{ GPD}$.

Please place an item on the upcoming Town Council Agenda to approve a sewer allocation for Cottonfield Phase 2 in the amount of 22,320 GPD.

The Towns approval is contingent upon NCDEQ approving the sewer extension permit.

Thank you for your help. If you need anything else from me, please advise.

Steven S. Sanderson, PE Sanderson Engineering, Inc. 2485 Wendell Blvd. PO Box 2016
Wendell NC 27591 919-366-2016 (office)

RE: Kenly

From: Michael McAllister <mmcallister@mesco.com>

Sent: Thu, Aug 11, 2022 at 12:50 pm

To: Chip Hewett, janie.holland@townofkenly.com

Good morning Chip,

We are working on the existing NPDES renewal, so, fortunately, we have the flow data in a spreadsheet. It sounds like they are putting the cart before the horse if they have already annexed the project. The part-time planning person is not communicating with me or John Pitts in Public Works. Has the preliminary plan been approved? If so, Public Works nor I have seen it. However, we will do what we can to make this happen!

Who signed off on the flow acceptance and permits if construction starts soon? I knew they were looking to expand Cottonfield, but I was told the original number of lots was not that high. However, the plant is permitted for 0.63 MGD average daily flow. The current average last year was 0.44 MGD which is approximately 70%. The current year is trending at approximately 0.38 MGD for the first half of the year, or approximately 60%. According to the NC Administrative Code, NCDEQ can place the town under a sewer moratorium when the actual average daily flow reaches 80%. The primary reason is inflow/infiltration; we have had dryer weather this year. The 80% mark would be an average daily flow for the year of 0.504 MGD or 504,000 Gallons per day. Therefore if the trend this year continues, we have 124,000 Gallons per day of hydraulic capacity.

Regarding the subdivision, the NC Administrative Code requires an allocated capacity of 120 GPD per bedroom or 360 GPD for a three-bedroom house. $360 \text{ GPD} \times 62 = 22,320 \text{ GPD}$. To answer the question, yes, the facility has the capacity unless we have a major hurricane or other large flooding events.

A flow reduction study is produced as part of the 16-million earmarked funds. If we can show the current residential flows are less, the state will reduce the allocation per bedroom. We just did that for Micro to match what Johnston County uses. 180 GPD for a two-bedroom house and 80 GPD per additional bedroom. It took several months to get that through NCDEQ, as they are slammed with about 50% staff. In other words, not in time to help them.

To claim their allocation, I suggest they get their Fast Track permit quickly so that we can analyze the downstream pump stations and gravity sewer. We need to ensure those pieces of infrastructure will handle the peak flows. FYI, the Town of Micro keeps asking for additional allocation. They currently have 60,000 GPD of capacity allocated to them. They have an 82-lot subdivision currently under design by a local developer. I told them that additional capacity is not feasible as Kenly wanted to reserve it for their own growth, i.e., this subdivision.

We are designing two projects for Kenly to utilize the earmark funds. One is a comprehensive gravity sewer rehab, and the other is a new WWTP built across the road from the old one with a 1.2 MGD capacity. It will be a 5-stage biological nutrient removal plant with tertiary filters and set-up for re-use quality wastewater that can be sold at a reduced rate for car washes, yard irrigation, etc. Both projects will be designed and permitted; which one gets constructed will depend on if Congress sees fit to extend the deadline that the money needs to be expended, which is currently December 31, 2026.

Sorry for the delay; it's been one of those days!

From: Chip Hewett <chip@hlgpa.com>

Sent: Wednesday, August 10, 2022 2:11 PM

To: Michael McAllister <mmcallister@mesco.com>; janie.holland@townofkenly.com

Subject: Kenly

Town of Kenly
Resolution Granting PRELIMINARY Sewer Capacity
Cottonfield Subdivision - Phase II

WHEREAS, Dees Construction have requested an allocation of 22,320 GPD per day of sewer capacity for the Cottonfield Subdivision - Phase II; and

WHEREAS, according to documentation received from Municipal Engineering, the Town does have the available capacity to serve Phase II of the Cottonfield Subdivision; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following is found:

- Documentation states a preliminary allocation of 22,320 GPD be made contingent upon NCDEQ's approval of a sewer extension permit, however, should the permit not be granted, the requested sewer allocation would not be granted.

Duly adopted this the 12th day of September, 2022 while in regular session.

Herbert Hales, II
Mayor
Town of Kenly

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Kenly