

**Dunn City Council  
Regular Meeting  
Tuesday, September 10, 2024  
6:30 p.m., Dunn Municipal Building**

## **AGENDA**

Call to Order – Mayor William P. Elmore, Jr.  
Invocation  
Pledge of Allegiance

- 1) Adjustment and Approval of the September 10, 2024 meeting agenda.

### **ITEMS FOR DISCUSSION AND/OR DECISION**

- 2) Proclamation – Constitution Week 2024
- 3) Special Event Permit – Get Out to Vote Rally- on City Hall Steps
- 4) Special Events Permit – Temporary Blocking of Streets – NC Cotton Festival
- 5) Acceptance of Lead Service Line Replacement Program Funding Offer
- 6) Paving Project
- 7) Consideration of Offer to Purchase City Property
- 8) **Closed Session** - If called, the General Statute(s) allowing the Closed Session will be cited in the motion

### **ADJOURNMENT**

**“This institution is an equal opportunity provider and employer”**

# **Adjustment and Approval Of the September 10, 2024 Meeting Agenda**

## **Recommendation:**

Motion to adopt the September 10, 2024, meeting agenda as presented.

Or

Motion to adopt the September 10, 2024, meeting agenda as presented with the following changes:

Additions: (Assign Number on the Agenda such as 28A)

Removal of the following items(s):

Move Item of Business from one section to another section (such as moving item from Consent Items to Items for Discussion and/or Decision).

**Meeting Date: September 10, 2024**

<b>SUBJECT TITLE</b>	Constitution Week
<b>PRESENTER/DEPARTMENT</b>	City Clerk
<b>ATTACHMENT(S)</b>	Proclamation
<b>PUBLIC HEARING PUBLISH DATES</b>	

**PURPOSE:**

To recognize Constitution Week, September 17-23, 2024 in the City of Dunn as requested by the Daughters of the American Revolution.

**BACKGROUND:**

**BUDGET IMPACT:**

<b>RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL</b>	For the Record.
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# Proclamation

## *Constitution Week 2024*

**WHEREAS:** September 17, 2024, marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17<sup>th</sup> through 23<sup>rd</sup> as Constitution Week.

**NOW, THEREFORE** I, William P. Elmore, Jr., by virtue of the authority vested in me as Mayor of the City of Dunn, North Carolina, do hereby proclaim the week of September 17<sup>th</sup> through 23<sup>rd</sup> as

## **Constitution Week**

in the City of Dunn and ask our residents to reaffirm the ideals of the framers that the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

*So proclaimed this the 10<sup>th</sup> day of September, 2024.*

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William P. Elmore Jr.  
Mayor

ATTEST:

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Melissa R. Matti, CMC  
City Clerk

**Meeting Date: September 10, 2024**

<b>SUBJECT TITLE</b>	Special Event Permits – Permission to Gather on City Hall steps for Get Out & Vote Rally
<b>PRESENTER/DEPARTMENT</b>	City Manager Neuschafer
<b>ATTACHMENT(S)</b>	Permit Application
<b>PUBLIC HEARING PUBLISH DATES</b>	

**PURPOSE:**

Request to gather on City Hall steps for event on Thursday, September 26, 2024 from 5:30 p.m. until 7:15 p.m.

This event is to encourage participation in the upcoming election, raise social awareness about gun-violence, and to build peace.

**BACKGROUND:**

**BUDGET IMPACT:**

<b>RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL</b>	Motion to approve the Special Event Permit for the Get Out & Vote rally as requested.
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SEP-18-24

Received 9/26/24  
Pd 25.00 cc  
Rec #R00097149  
mm

**Event Information**

Type of Event:  Festival  Concert  Run/Walk  Parade

Other—Type Get Out the Vote Rally

Name of Event and Sponsoring Organization: The Peoples Fellowship of North Carolina

Point of Contact for this Event:

Name Floyd Wilton Telephone (910) 403-3287

Email thepeoplesfellowship2198@yahoo.com

Purpose of Event Encourage participation in upcoming elections, raise social awareness about gun-violence, <sup>Build</sup> Peace

Event Location: The City of Dunn Municipal Bldg - Steps

Event Date(s) September 26, 2024

Setup Date(s) \_\_\_\_\_

Actual Event Hours 5:30 - 7:00 / 6:00 - 7:15

Setup/Assembly Hours ~~5:30~~ 5:30

Dismantle Date and Time 30 minutes

Projected Attendance 25 - 30

Will there be the use of fireworks at this event?  Yes  No

Will alcohol be served or sold?  Yes  No

If yes, please provide required documentation.

Will Tent(s) be installed?  Yes  No

If yes, Size \_\_\_\_\_ Number of Tents \_\_\_\_\_  
If, applicable, please attach Tents/Temporary Membranes Permit Application.

Will Inflatables be used?  Yes  No  
If yes, please attach Tents/Temporary Membranes Permit.

Will this event require signs/banners?  Yes  No Hand held signs  
If yes, please attach Temporary Sign Permit Application.

Do you need access to city electrical outlets?  Yes  No

Do you need access to water for your event?  Yes  No

Additional Fees may apply for water and electricity. You will be contacted to discuss.

Permission to gather on steps of city hall.

Applicant should include a detailed Traffic and Parking Plan.

Will your event require the closing of any City streets or parking lots?  Yes  No  
If yes, the application must be received 60 days in advance of the event.

*Request to close any state-maintained roads must be handled through the  
NC Department of Transportation*

List any street(s) and parking lots to be closed. Include street name with date and time to be closed and reopened. Also include a detailed Map showing streets to be closed.

*Gather in the front of City Hall  
front steps to edge of curb.*

Please attach map/drawing accurately depicting proposed locations, activities, and traffic flow, with proposed parking plan.

As a condition to the issuance of a temporary Special Event Permit, the permittee shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the special event.

By signing this permit, I acknowledge that I have read completely including all necessary ordinances and answered all questions truthfully and understand that the event should NOT be promoted until a Special Event Permit has been issued.

Submittal of an application does NOT guarantee approval and the \$25 Fee is Non-Refundable.

Violations could result in forfeiting the right to apply for future Special Events for a minimum of two (2) years.

Signature *[Handwritten Signature]* Date *8/26/24*  
Please Return Completed Application with Fees to:

City of Dunn Planning Department  
102 N Powell Ave  
PO Box 1065  
Dunn NC 28335  
Telephone (910) 230-3505

## Checklist for Attachments

Please make sure all required permits and information with necessary permit payments are included.  
Check or mark n/a

- ABC Permit (if alcohol is to be served or sold)
- Tents/Temporary Membranes Permit Application
- Noise Permit
- Temporary Sign Permit
- Proof of Insurance or Signed Waiver
- Please be sure to include Map(s) or Drawing(s) showing location of event, activities, requested street closures, parking and traffic patterns.

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### FOR OFFICE USE:

Planning Department:

n/a

Inspections Department:

n/a

Police Department:

City Clerk, if required:

City Manager, if required:

Date Received: 8/26/2024

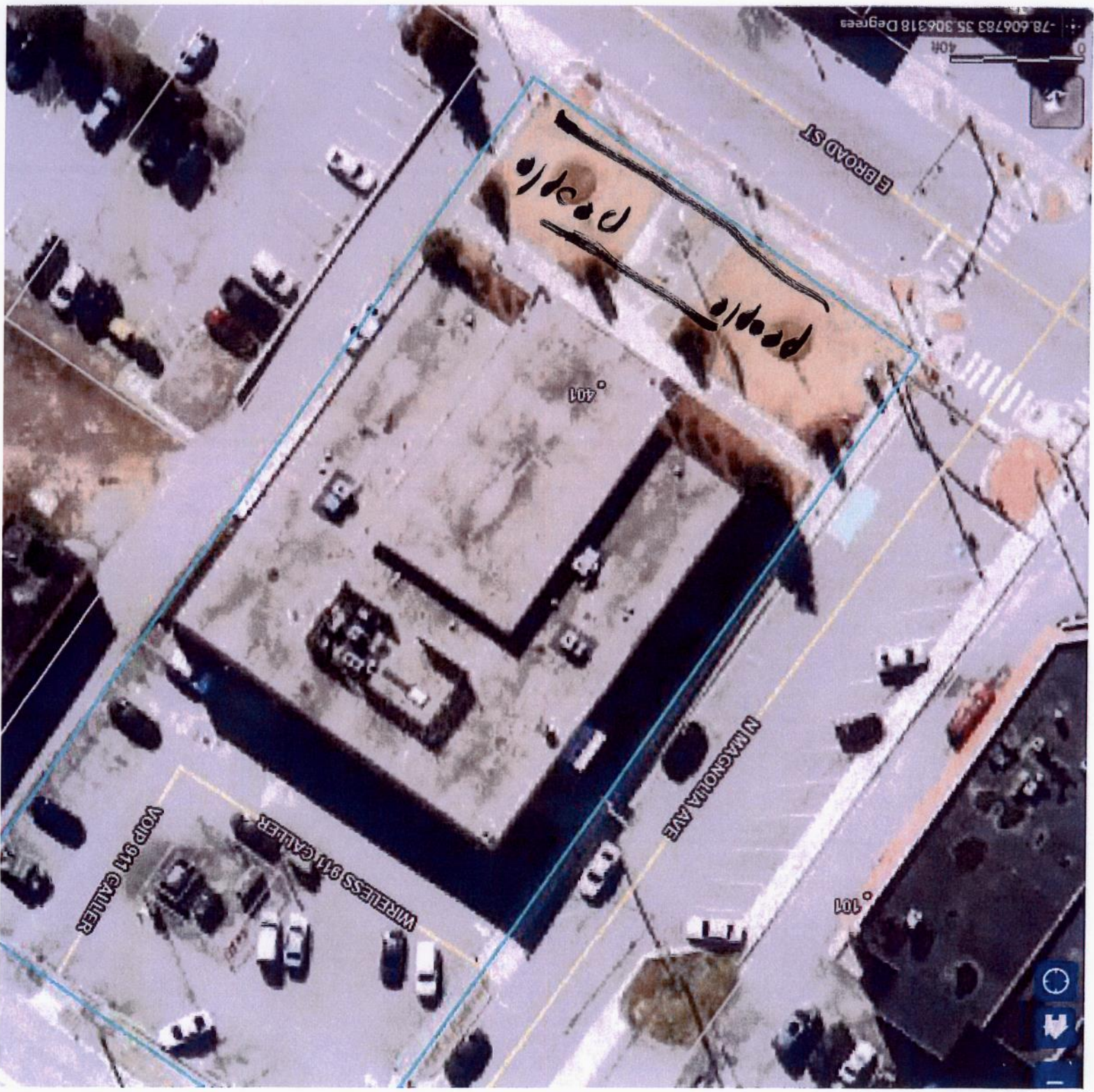
Date Approved/Denied: \_\_\_\_\_

Date of Notification to Applicant: \_\_\_\_\_

Staff Name \_\_\_\_\_

Staff Signature \_\_\_\_\_





-78.606783 35.306318 Degrees

40M

E BROAD ST

People

People

107°

N MAGNOLIA AVE

101°

TOP 9TH GALLERY

WIRELESS 9TH GALLERY





# Dunn Police Department

## Permit to Exceed Noise Limits

Name of Applicant: Floyd Wicks

Address: 1410 Habersham Drive, Fayetteville NC

Contact number: (910) 403-3887

Type of activity/description: Get Out the Vote - Stop the Violence Peace Rally.

Date of Event: 9/26/24

Proposed Start time: 6:00-7:15 Proposed End time: 7:15

Proposed place: Dunn City Hall

Number of People: 25-30

Name of person in charge of the event: Reverend Floyd Wicks

Address: 1410 Habersham Drive

Contact number: (910) 403-3887

Date application submitted: 8/26/24

Signature of Applicant: [Signature]

E-Mail Address: thepeoplesfellows402198@yahoo.com

### \*\*\*\*\*Department Use Only\*\*\*\*\*

Application Received: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Approved  Approved (with stipulations)  Disapproved



## Meeting Date: September 10, 2024

<b>SUBJECT TITLE</b>	Temporary Blocking of Streets – Cotton Festival– Saturday, November 2
<b>PRESENTER/DEPARTMENT</b>	City Clerk
<b>ATTACHMENT(S)</b>	Special Event Permit Applications
<b>PUBLIC HEARING PUBLISH DATES</b>	N/A

### PURPOSE:

Council is being asked to approve the following Temporary Blocking of Streets as follows:

#### October 31, 2024

- City of Dunn Public Parking Lot behind Sherry's Bakery: 12:00 p.m. until November 2, 2024, at 7:00 p.m.
- E. Edgerton St. from the alleyway to S. Clinton Ave. 12:00 p.m. – 5:00 p.m. for amusement rides to be dropped off

#### November 1, 2024

- Lucknow Square from the entrance of Truist Bank to W. Broad St. - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- Broad St. from Fayetteville Ave. to S. Clinton Ave. (US Hwy 301) - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- Fayetteville Ave. from E. Cumberland St. (US Hwy 421) to W. Edgerton St. – 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- E. Broad St. (Block 300) from S. Clinton Ave. (US Hwy 301) to Magnolia Ave. - 3:00 p.m. until November 2, 2024, at 7:00 p.m.
- Edgerton St. from Railroad Ave. to S. Clinton Ave. (US Hwy 301) - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- Wilson Ave. from E. Cumberland St. (US Hwy 421) to E. Harnett St. - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- Railroad Ave. from E. Cumberland St. (US Hwy 421) to E. Harnett St. - 6:00 p.m. until November 2, 2024, at 7:00 p.m.

### BACKGROUND:

### BUDGET IMPACT:

None

<b>RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL</b>	Motion to approve the Temporary Blocking of the Streets and Parking Lot as requested for the Cotton Festival activities.
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Pd 2500 CC# 003918

Rec# 104554

SEP-19-24

RECEIVED  
9/3/2024

mm

9/3/24

Event Information

Type of Event:  Festival  Concert  Run/Walk  Parade  
 Other—Type \_\_\_\_\_

Name of Event and Sponsoring Organization: NORTH CAROLINA COTTON FESTIVAL -  
DUNN AVENUE TOURISM AUTHORITY

Point of Contact for this Event:

Name CRISTY BULLOCK Telephone 910-892-3282

Email office@dunntourism.org | cristy@dunntourism.org

Purpose of Event Community event

Event Location: Downtown Dunn

Event Date(s) NOVEMBER 1 & 2, 2024

Setup Date(s) OCTOBER 31, NOVEMBER 1 & 2, 2024

Actual Event Hours 7:00pm - 10:00pm (NOV. 1, 2024) & 10:00am - 4:00pm (NOV. 2, 2024)

Setup/Assembly

Hours OCTOBER 31 & NOVEMBER 1 - all day, NOVEMBER 2 10:00am

Dismantle Date and Time 8:00pm NOVEMBER 2, 2024

Projected Attendance 12,000+

Will there be the use of fireworks at this event?  Yes  No

Will alcohol be served or sold?  Yes  No  
If yes, please provide required documentation.

Will Tent(s) be installed?  Yes  No

If yes, Size VARIOUS 12x15, 10x10, 10x12 Number of Tents UNKNOWN EXACTLY  
If, applicable, please attach Tents/Temporary Membranes Permit Application.

Will Inflatables be used?  Yes  No  
If yes, please attach Tents/Temporary Membranes Permit.

Will this event require signs/banners?  Yes  No  
If yes, please attach Temporary Sign Permit Application.

Do you need access to city electrical outlets?  Yes  No

Do you need access to water for your event?  Yes  No

Additional Fees may apply for water and electricity. You will be contacted to discuss.

• Street Closure  
• Temp Sign  
• Noise Permit  
• Tents/Inflatables

Applicant should include a detailed Traffic and Parking Plan.

Will your event require the closing of any City streets or parking lots?  Yes  No  
If yes, the application must be received 60 days in advance of the event.

*Request to close any state-maintained roads must be handled through the  
NC Department of Transportation*

List any street(s) and parking lots to be closed. Include street name with date and time to be closed and reopened. Also include a detailed Map showing streets to be closed.

\* see attached sheets for street closures & map  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach map/drawing accurately depicting proposed locations, activities, and traffic flow, with proposed parking plan.

As a condition to the issuance of a temporary Special Event Permit, the permittee shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the special event.

By signing this permit, I acknowledge that I have read completely including all necessary ordinances and answered all questions truthfully and understand that the event should NOT be promoted until a Special Event Permit has been issued.

Submittal of an application does NOT guarantee approval and the \$25 Fee is Non-Refundable.

Violations could result in forfeiting the right to apply for future Special Events for a minimum of two (2) years.

Signature Gerty Bullock Date 8-22-24

Please Return Completed Application with Fees to:

City of Dunn Planning Department  
102 N Powell Ave  
PO Box 1065  
Dunn NC 28335  
Telephone (910) 230-3505

### Street Closures

October 31, 2024

- City of Dunn Public Parking Lot behind Sherry's Bakery: 12:00 p.m. until November 2, 2024, at 7:00 p.m.
- E. Edgerton St. from the alleyway to S. Clinton Ave. 12:00 p.m. – 5:00 p.m. for amusement rides to be dropped off

November 1, 2024

- Lucknow Square from the entrance of Truist Bank to W. Broad St. - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
- Broad St. from Fayetteville Ave. to S. Clinton Ave. (US Hwy 301) - 6:00 p.m. until November 2, 2024, at 7:00 p.m.
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- E. Broad St. (Block 300) from S. Clinton Ave. (US Hwy 301) to Magnolia Ave. - 3:00 p.m. until November 2, 2024, at 7:00 p.m.
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- Railroad Ave. from E. Cumberland St. (US Hwy 421) to E. Harnett St. - 6:00 p.m. until November 2, 2024, at 7:00 p.m.

### Checklist for Attachments

Please make sure all required permits and information with necessary permit payments are included.  
Check or mark n/a

- ABC Permit (if alcohol is to be served or sold) → social district with permitted businesses, supplying their own permits
- Tents/Temporary Membranes Permit Application
- Noise Permit
- ✓  Temporary Sign Permit
- ✓  Proof of Insurance or Signed Waiver
- ✓  Please be sure to include Map(s) or Drawing(s) showing location of event, activities, requested street closures, parking and traffic patterns.

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### FOR OFFICE USE:

Planning Department:

n/a

Inspections Department:

n/a

Police Department:

City Clerk, if required:

City Manager, if required:

Date Received: 9/3/2024

Date Approved/Denied: \_\_\_\_\_

Date of Notification to Applicant: \_\_\_\_\_

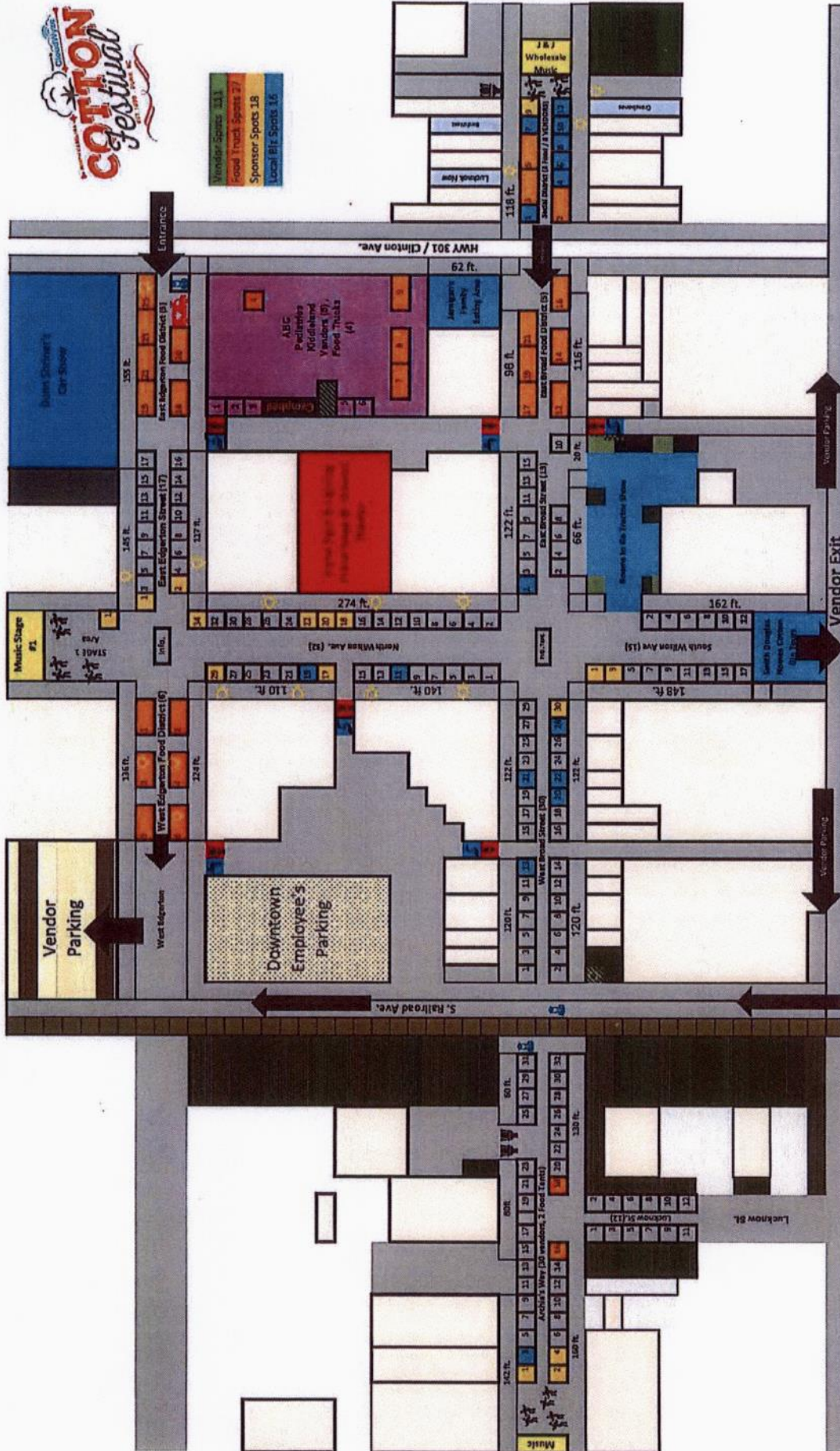
Staff Name \_\_\_\_\_

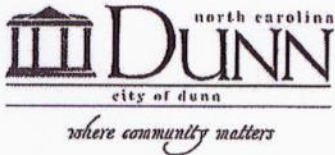
Staff Signature \_\_\_\_\_





Vendor Spots 311  
 Food Truck Spots 27  
 Sponsor Spots 18  
 Local Biz Spots 16





**TEMPORARY SIGN PERMIT APPLICATION**

The following conditions are listed for the convenience of the temporary sign permit applicant. Refer to the current fiscal year adopted fee schedule for permit costs.

**Sec 22-296 (3) . Portable signs.**

- a. *Size:* Portable signs shall not exceed thirty-two (32) square feet in surface area, a maximum height of six (6) feet, and the total aggregate for all signs for a single project shall not exceed sixty-four (64) square feet in surface area. All signs not attached to building structures shall be self-supporting.
- b. *Time limit:* Permits for portable signs may be approved for one (1) to thirty (30) days. No sign or other form of advertisement shall be exhibited for more than seven (7) days prior to the day of a sale or activity is to commence.
- c. *Removal of signs:* Signs shall be removed at the close of the special event or activity and shall not be displayed after the expiration of the permit or the close of the special event or activity.
- d. *Additional regulations:* No more than one (1) portable sign, with or without wheels, shall be permitted on a parcel of land for a grand opening, special sale, special event or similar activity.

A permit for a portable sign may not be issued again for the same business or occupancy for a period of twelve (12) calendar months.

**Section 22-296 (6) . Banners and windblown signs.** Initial business opening, sale, or special event:

- a. *Size:* Each sign shall not exceed thirty-two (32) square feet in total aggregate. Each parcel shall be allowed a maximum of 3 signs with a total square footage not to exceed forty-eight (48) square feet.
- b. *Time limit:* Permits for banners or windblown signs may be approved for one (1) to thirty (30) days. No sign or other form of advertisement shall be exhibited for more than seven (7) days prior to the day of opening a store or activity is to commence.
- c. *Removal of signs:* Signs shall be removed at the close of the special event or activity and shall not be displayed after the expiration of the permit or the close of the special event or activity.
- d. *Additional regulations:* Such signs may be freestanding or attached to any part of the building wall. Banners and windblown signs shall be issued once a quarter each calendar year.

I hereby certify that I understand the listed conditions and will comply with all requirements and conditions.

Signature of applicant \_\_\_\_\_ Date \_\_\_\_\_

Name of Business: North Carolina Cotton Festival | Dunn Area Tourism Authority

Business Address: 103 E. Cumberland St. Dunn, NC 28334

Owner/Manager Name: Cristy Bullock Contact Phone Number: 910.892.3282

Type, Number, & Square Footage of Sign(s): VARIOUS WARD SIGNS, A-WARDS & BANNERS

Dates for Sign Placement: October 21 - November 5 for promotional signs, October 31 - November 2 for remaining

Approved by: Cristy Bullock Date: \_\_\_\_\_ Receipt #: \_\_\_\_\_





# Dunn Police Department

## Permit to Exceed Noise Limits

Name of Applicant: North Carolina Cotton Festival | Dunn Area Tourism Authority

Address: 103 E. Cumberland St. Dunn, NC 28334

Contact number: 910-892-3282

Type of activity/description: Community event

Date of Event: NOV. 1 & NOV. 2, 2024

Proposed Start time: NOV. 1 - 7:00 PM  
NOV. 2 - 10:00 AM

Proposed End time: NOV. 1 - 10:00 PM  
NOV. 2 - 4:00 PM

Proposed place: Downtown Dunn

Number of People: 10,000+

Name of person in charge of the event: Gisty Bullock | Dunn Area Tourism Authority

Address: 103 E. Cumberland St. Dunn, NC 28334

Contact number: 910-892-3282

Date application submitted: 8-22-24

Signature of Applicant: Gisty Bullock

E-Mail Address office@dunntourism.org

### \*\*\*\*\*Department Use Only\*\*\*\*\*

Application Received: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Approved       Approved (with stipulations)       Disapproved



**Meeting Date: September 10, 2024**

<b>SUBJECT TITLE</b>	NCDEQ Lead Service Line Replacement Program Funding Offer
<b>PRESENTER/DEPARTMENT</b>	City Manager Neuschafer
<b>ATTACHMENT(S)</b>	NCDEQ Funding Offer; Resolution to Accept Offer and Acceptance documents
<b>PUBLIC HEARING PUBLISH DATES</b>	n/a

**PURPOSE:** To consider approval of the North Carolina Department of Environmental Quality (NCDEQ) Lead Service Line Replacement Program Funding Offer in the amount of \$500,000.

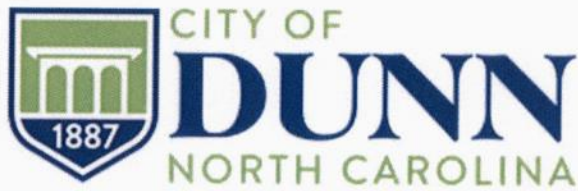
**BACKGROUND:** On October 20, 2023, NCDEQ’s Division of Water Infrastructure’s (DWI) State Water Infrastructure Authority (SWA) issued a Letter of Intent to Fund (LOIF) \$500,000 for the City’s use in its Lead Service Line Replacement Project [No. SRF-D-LSL-0013]. The project is to conduct an assessment and inventory (A&I) of lead and copper water lines throughout the City as required by the Environmental Protection Agency’s (EPA) Lead and Copper Line Rule Revisions. On March 26, 2024, Council approved a Capital Project Ordinance for the project and retained *KCI and Associates of North Carolina* to conduct the Lead Service Line Inventory. The initial inventory is due October 16, 2024.

On August 22, 2024, NCDEQ issued its formal funding offer to the City of Dunn approving total funding of \$500,000 for this project. The funding is in the form of a loan where up to \$300,000 of the loan will be forgiven and the remaining \$200,000 of the loan will be repayable at 0% interest for a maximum of five (5) years. A loan fee of 2% (\$10,000) will be invoiced by NCDEQ after the bids have been received. Funds will not be disbursed until the offer is accepted.

**BUDGET IMPACT:** Funding is provided by the NCDEQ as noted above and future loan repayments will be budgeted in the Water and Sewer Fund and paid with water service fees.

<b>RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL</b>	Motion to approve the attached Resolution accepting the August 22, 2024, NCDEQ Lead Service Line Replacement Program Funding Offer of \$500,000.
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**ITEMS FOR DISCUSSION AND/OR DECISION**



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## RESOLUTION TO ACCEPT FUNDS FROM THE DRINKING WATER STATE REVOLVING FUND

**WHEREAS**, on April 11, 2023, the City Council of the City of Dunn, North Carolina, authorized staff to submit a grant application to the North Carolina Division of Water Infrastructure (NCDWI) for a lead service line inventory; and,

**WHEREAS**, the City of Dunn received a letter from the North Carolina Division of Environmental Quality, Division of Water Infrastructure (NCDEQ/DWI) dated October 20, 2023, approving a Lead Service Line Replacement project as eligible to receive a total funding amount of a \$500,000 loan from the Drinking Water State Revolving Fund (DWSRF) Bipartisan Infrastructure Law (BIL) Lead Service Line Replacement Funds; and,

**WHEREAS**, on August 22, 2024, the City of Dunn received a funding offer from the NCDEQ/DWI, formally approving the funding assistance referenced in the October 20, 2023, letter; and,

**WHEREAS**, the terms of the loan funding allows for sixty percent, up to a maximum of \$300,000, to be forgiven and the remainder repayable at zero percent interest; and,

**WHEREAS**, the completion of this inventory must occur before October 1, 2024,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNN:**

That the City of Dunn does hereby accept the DWSRF BIL loan funding of \$500,000; and,

That the City of Dunn does hereby give assurance to the NCDWI that any Conditions or Assurances contained in the Funding offer and Acceptance award offer will be adhered to and that the City has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grant and loan terms pertaining thereto; and,

That the City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

*Adopted this 10<sup>th</sup> day of September 2024.*

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William P. Elmore Jr.  
Mayor

ATTEST:

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Melissa Matti  
City Clerk

*Where community begins!*

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director



NORTH CAROLINA  
Environmental Quality

August 22, 2024

Mr. Steven Neuschafer, City Manager  
City of Dunn  
PO Box 1065  
Dunn, NC 28335

SUBJECT: Lead Service Line Replacement Program  
Funding Offer  
City of Dunn  
Lead and Copper Service Assessment  
Project No.: SRF-D-LSL-0013

Dear Mr. Neuschafer:

The City of Dunn has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions attached to this document.

Upon your acceptance, please submit the following items to the Division, via email at [DEQ.DWLFundingOffer@deq.nc.gov](mailto:DEQ.DWLFundingOffer@deq.nc.gov):

1. One (1) copy of the original Offer and Acceptance Document executed by the Authorized Representative for the project, along with the Conditions and Assurances. **Retain a copy for your files.**
2. A resolution adopted by the governing body accepting the funding offer and making the applicable Conditions and Assurances contained therein. A sample of a suggested format is enclosed.
3. The Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)
4. Sales-Tax Certification (form enclosed)

Please note that closing costs for the current loan are 2% of the total loan amount, which is \$10,000. Please use the attached invoice to remit payment.

The enumerated items above as well as the payment of closing fees **are due before disbursements can begin**. Disbursement requests are to be submitted via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>.



North Carolina Department of Environmental Quality | Division of Water Infrastructure  
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633  
919.707.9160



City of Dunn  
August 22, 2024  
Page 2 of 2

A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.

*Please note that disbursement of loan funds is contingent upon debt approval by the Local Government Commission (LGC). You may coordinate debt approval directly with the LGC by e-mail at [srf@nctreasurer.com](mailto:srf@nctreasurer.com).*

On behalf of the Department of Environmental Quality, I am pleased to make this funding offer. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact Jim Morrison, P.E., either by telephone at 919.707.9157 or by e-mail at [jim.morrison@deq.nc.gov](mailto:jim.morrison@deq.nc.gov).

Sincerely,

DocuSigned by:

*Stephanie Suter*

Stephanie Suter, Director

Division of Water Infrastructure, NCDEQ

on behalf of

Enclosures: Offer and Acceptance Document  
Assurances & Conditions  
Federal ID and UEID Number Request Memo  
Resolution to Accept Funding Offer (suggested format)  
Sales-Tax Certification Form  
Disbursement Request Form  
Site Certification  
Capital Project Ordinance (sample)  
Closing Fee Invoice

ec: Kevin Richards, P.E., The Wooten Company ([krichards@thewootencompany.com](mailto:krichards@thewootencompany.com))  
Mark Hubbard, P.E. (via DocuSign)  
Renee Parkman, P.E. (via DocuSign)  
Jim Morrison (via DocuSign)  
Carrie Shortt (via DocuSign)  
Teresa Tripp (via DocuSign)  
[DEQ.DWIFundingOffer@deq.nc.gov](mailto:DEQ.DWIFundingOffer@deq.nc.gov)  
DWI Agreement ID: 2000070459 (COM\_LOX)

**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER INFRASTRUCTURE**

**Funding Offer and Acceptance**

**Legal Name and Address of Award Recipient**

City of Dunn  
PO Box 1065  
Dunn, NC 28335

**Project Number:** SRF-D-LSL-0013

**Assistance Listing Number:** 66.468  
**Unique Entity ID Number:** MLLCTPVM8A39

**Funding Program**

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>			
Wastewater	<input type="checkbox"/>			
BIL-DWSRF-LSLR Fund - Repayable Loan	<input checked="" type="checkbox"/>	--	--	\$ 200,000
BIL-DWSRF-LSLR Fund - Principal Forgiveness	<input checked="" type="checkbox"/>	--	--	\$ 300,000
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)	<input type="checkbox"/>			
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

**Project Description:**

Lead and Copper Service Assessment

**Total Financial Assistance Offer:** \$ 500,000  
**Total Project Cost:** \$ 500,000  
**Estimated Closing Fee\*\*:** \$ 10,000  
*For Loans*  
**Interest Rate:** 0% Per Annum  
**Maximum Loan Term:** 5 Years

\* Federal conditions and requirements will also apply to S.L 2023-134 projects co-funded with federal funds.

\*\* Estimated closing fee calculated based on grant and loan amount.

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure  
North Carolina Department of Environmental Quality**

DocuSigned by: <i>Stephanie Suter</i> ECDB3F178E434D9... Signature	on behalf of Shadi Eskaf	8/22/2024 Date
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On Behalf of: City of Dunn  
 Name of Representative in Resolution: \_\_\_\_\_  
 Title (Type or Print): \_\_\_\_\_

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature	Date
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**APPLICABLE STANDARD CONDITIONS\*****Project Applicant: City of Dunn****Project Numbers: SRF-D-LSL-0013**

1. **Social Authorities:** Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, The Age Discrimination Act of 1975, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, and Equal Employment Opportunity (Executive Order No 11246, as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
2. **Environmental Authorities:** National Environmental Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Protection of Wetlands, Flood Plain Management, Farmland Protection Policy Act, Coastal Zone Management Act, Coastal Barriers Resources Act, Wild and Scenic Rivers Act, Endangered Species Act, Essential Fish Habitat and the Safe Drinking Water Act applicability will be determined upon submittal of an Environmental Information Document (EID) during the Engineering Report review process.
3. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
4. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
5. Debarment and Suspension, Executive Order No. 12549: Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
6. The construction contract(s) requires the contractor to adhere to Davis Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148.
7. As required by H.R. 3547, "Consolidated Appropriations Act, 2014" Section 436, Division G, Title IV, this project is subject to American Iron and Steel provisions. The State provides detailed requirements to be included in the construction contract specifications.
8. Section 603(d)(1)(E) of the Federal Water Pollution Control Act requires subject projects to develop and implement a Fiscal Sustainability Plan (FSP) for projects that involve the repair, replacement or expansion of publicly owned treatment works. Note that FSPs are not required for new treatment works. The certification provided must be submitted regarding compliance with this section of the Act.
9. Section 602(b)(14) of the Clean Water Act requires projects receiving CWSRF funding to comply with Federal engineering procurement guidelines. The State provides a certification form that must be completed prior to receiving funds for any engineering services covered under this funding offer.

10. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate SRF funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (as described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

*\*Note: 1 does not require anything to be submitted. 8 and 9 apply to the CWSRF only. Details on all of these conditions can be found the EPA Cross-Cutter handbook.*

## ASSURANCES

**Project Applicant:** City of Dunn      **Project Numbers:** SRF-D-LSL-0013

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.  
The recipient acknowledges that in the event a milestone contained in the most recent Clean Water State Revolving Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for SRF funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. As of the acceptance of this Funding Award Offer, steps A-D in the SRF Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRF Guidance, and the Applicant hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRF Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.
5. The Applicant will provide and maintain adequate engineering supervision and inspection.
6. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
7. All SRF funds loaned shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
8. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
9. The applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.

**Meeting Date: September 10, 2024**

<b>SUBJECT TITLE</b>	Paving Project
<b>PRESENTER/DEPARTMENT</b>	Steven Neuschafer – City Manager
<b>ATTACHMENT(S)</b>	
<b>PUBLIC HEARING PUBLISH DATES</b>	n/a

**PURPOSE:** To review the 2021 Citywide Pavement Condition Survey Report and update the City Council on how the recommendations within the report can be further implemented.

**BACKGROUND:** In 2021, the City retained SEPI Engineering and Construction, Inc. (SEPI), to perform a Pavement Condition Survey on the City’s street system. The Report was presented to the City Council on November 15, 2021. Utilizing the then-existing Powell Bill map of the City’s 66 miles of paved streets, the Report found that 3% (2.01 miles) were in *Excellent* condition, 26% (17.27 miles) were in *Good* condition, 67% (44.18 miles) were in *Fair* Condition, 3% (2.27 miles) in *Poor* Condition, and 1% (0.39 mile) in *Failed* condition. Based on these findings, SEPI recommended a Preservation/Preventive strategy for the *Good* roads and a Rehabilitation strategy for the *Poor* and *Fair* roads. The estimated cost to execute these strategies was \$15,717,120, therefore SEPI suggested implementation of a pavement management system to prioritize the work.

In the Spring of 2023, an initial phase of the paving project was implemented. This \$1,200,000 project was funded by a \$1,000,000 loan with the balance from the City’s general fund reserves.

On August 6, 2024, the City issued a Request for Qualifications (RFQ) for engineering services for the design and implementation of a paving rehabilitation project based on the findings of the 2021 SEPI study. The selected firm will be responsible for finding the most cost-effective way to maximize the use of available funds earmarked for the project and the scope of services will include project design, budget development, construction administration, and other services relevant to oversight of the paving project.

**BUDGET IMPACT:** It is anticipated that the City will apply for a USDA loan to fund the paving project and use the revenues from the 2025 ad valorem tax rate increase for debt service on the loan.

**RECOMMENDED  
MOTION/ACTION  
REQUESTED OF  
COUNCIL**

**ITEM FOR DISCUSSION**

**Meeting Date: September 10, 2024**

<b>SUBJECT TITLE</b>	Offer to Purchase 19.68 Acres of City Property
<b>PRESENTER/DEPARTMENT</b>	Billy Godwin – Assistant City Manager
<b>ATTACHMENT(S)</b>	Letter of Intent to Purchase; Resolution; GIS; Survey
<b>PUBLIC HEARING PUBLISH DATES</b>	

**PURPOSE:** To consider a Letter of Intent from NVR to Purchase 19.68 acres of City property.

**BACKGROUND:** On August 30, 2024, the City of Dunn received from NVR, Inc., a Letter of Intent to Purchase (LOIP) 19.68 acres of City property located on the south side of East Johnson Street. The property is further identified as Harnett County PIN 1526-08-5581.000 and is also that 20.00 acres (net) shown on Map 2004, Page 1244, Harnett County Registry. The property is currently zoned as R-20. The LOIP is attached but its principal terms include:

- Purchase Price of **\$250,000** with a \$12,500 Earnest Money Deposit.
- \$5,000 Due Diligence Fee and a 90 Day Due Diligence Period (if high bidder).
- Closing to be within 30 Days of Construction Drawing Approval.

G.S. 160A-269 provides that when a city proposes to accept an offer to purchase real property, the Council shall require a bid deposit of 5% and publish a Notice of the Offer that contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. If a bid is raised (i.e. upset), the new bidder must deposit with the city clerk five percent (5%) of the increased bid, and the clerk readvertises the offer at the increased bid. This procedure is repeated until no further qualifying upset bids are received, at which time the Council may accept the offer and sell the property to the highest bidder. The Council may at any time reject any and all offers.

If the Council proposes to accept the offer, the next step would be to adopt a Resolution Authorizing Upset Bid and to direct the clerk to publish the Notice of Sale by Upset Bid. After the upset bid period expires and the Council elects to accept the offer of the highest bidder, the City and buyer would execute a formal purchase agreement binding the parties.

**BUDGET IMPACT:** Proceeds of the sale of this property would go to the General Fund.

**RECOMMENDED  
MOTION/ACTION  
REQUESTED OF  
COUNCIL**

Motion to (i) adopt the Resolution Authorizing Upset Bid Process for the real property identified as Harnett County PIN 1526-08-5581.000 and, (ii) to direct the City Clerk to advertise the Notice of Sale by Upset Bid of that property.



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## Resolution Authorizing the Upset Bid Process

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**WHEREAS**, the City of Dunn owns certain property, identified as follows:

Being that 19.68 acres of City property located on the south side of East Johnson Street and further identified as Harnett County PIN 1526-08-5581.000 and is also being that 20.00 acres (net) shown on Map 2004, Page 1244, Harnett County Registry.

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

**WHEREAS**, the City has received an offer to purchase the property described above, in the amount of \$250,000, submitted by NVR, Inc.

**WHEREAS**, NVR, Inc., has paid the required five percent (5%) deposit on the offer,

**THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNN RESOLVES THAT:**

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the upset bids, if any, and the highest such bid will become the new offer. If there is more than one upset bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher upset bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high upset bid shall be reported to the City Council.
5. A qualifying higher upset bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher upset bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that

-the City Council must, if it decides to accept the final high offer, approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and

-the buyer must pay with cash at the time of closing.

8. The City reserves the right to withdraw the property from sale at any time before the final high upset bid is accepted and further reserves the right to reject at any time all bids prior to accepting any bid.

9. If no qualifying upset bid is received after the period in the initial public notice, the City Council may accept the initial offer set forth above without further published notice. For an accepted bid, the appropriate city officials are authorized to execute the instruments necessary to convey the property to Buyer.

*Adopted this 10th Day of September, 2024.*

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William P. Elmore Jr.  
Mayor

ATTEST:

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Melissa Matti  
City Clerk





August 30, 2024

City of Dunn  
PO Box 1065  
Dunn, NC 28335

Re: Intent to purchase +/- 19.68-acre site  
PIN# 1526-08-5581

Please accept this correspondence as NVR's ("Purchaser") Letter of Intent to enter into a Raw Land Purchase agreement to purchase the property located in Harnett County under the following terms and conditions:

1. Property:

The Property will consist of approximately +/- 19.68 acre. PARCEL ID#1526-08-5581

2. Total Purchase Price:

a. Purchase Price:

The Purchase Price for the parcel noted will be two-hundred fifty thousand dollars (\$250,000).

b. Closing:

The Purchaser shall close on the Property within thirty days (30 days) of Construction Drawing (CD's) approval.

c. Deposit:

The Purchaser shall deliver to the Seller a total of 5% of the purchase price for a total of Twelve thousand five-hundred dollars (\$12,500) as an Earnest Money deposit. The Earnest Money deposit will be staged as outlined below:

Within five (5) business days after the City of Dunn Town Council accepts the bid Twelve thousand five-hundred dollars (\$12,500) shall be deposited in escrow.

After the public bid process is completed and Town Council accepts the offer by NVR, Inc. Five-thousand-dollar (\$5000) non-refundable Due Diligence fee is to be taken from the initial Earnest money in escrow.

3. Feasibility Period:

Purchaser shall have Ninety Days (90) for the Due Diligence (the "Feasibility Period"). All inspections shall be accomplished at Purchaser's expense, provided that Sellers shall cooperate with Purchaser as necessary. All deposits paid during the Feasibility Period shall remain refundable during the term of the Feasibility Period other than the Due Diligence fee of five-thousand dollars (\$5000).

4. Title:

Title to the Property shall be good and marketable, free of liens and subject only to "permitted exceptions" as determined by the Purchaser during the Feasibility Period.

5. Assignment

Purchaser shall have the right to assign the Agreement of Sale for the Property to an experienced investor and/or developer in the real estate industry.

6. Brokerage Commission

Any claim of commission or fees due shall be the obligation of Sellers in the event Sellers have procured such brokerage services through separate agreement.

Once these terms are accepted, please sign below and return a copy to me. I will then engage counsel to prepare a Raw Land Purchase agreement for your review and approval. We look forward to entering into a mutually beneficial Raw Land Agreement with you.

Sincerely,

*Jackie Grissett*

Jackie Grissett  
General Manager- Land  
Raleigh Region

Cc: Lou Baker

Accepted and acknowledged by: \_\_\_\_\_ Date \_\_\_\_\_.



# Harnett County GIS

<b>PID:</b> 02151720110025	<b>Building Value:</b> \$0
<b>PIN:</b> 1526-08-5581.000	<b>Parcel Outbuilding Value:</b> \$0
<b>Account Number:</b> 1400013173	<b>Parcel Land Value:</b> 77930
<b>Owner:</b> DUNN CITY OF	<b>Market Value:</b> \$77930
<b>Mailing Address:</b> PO BOX 1065 DUNN, NC 28335-1065	<b>Deferred Value:</b> \$0
<b>Physical Address:</b> E JOHNSON ST NC ac	<b>Total Assessed Value:</b> \$77930
<b>Description:</b> 21.49ACS SHAMROCK DENNINGMP#2004-1244	<b>Zoning:</b> R-20 SINGLE FAMILY - 19.68 acres (100.0%)
<b>Surveyed/Deeded Acreage:</b> 20	<b>Zoning Jurisdiction:</b> Dunn
<b>Calculated Acreage:</b> 19.68	<b>Wetlands:</b> Yes
<b>Deed Date:</b> 1104296400000	<b>FEMA Flood:</b> 100 Year Flood Plain,500 Year Flood Plain,Minimal Flood Risk
<b>Deed Book/Page:</b> 2026 - 0104	<b>Within 1mi of Agriculture District:</b> No
<b>Plat(Survey) Book/Page:</b> -	<b>Elementary School:</b> Dunn Elementary
<b>Last Sale:</b> 2004 - 12	<b>Middle School:</b> Dunn Middle
<b>Sale Price:</b> \$0	<b>High School:</b> Triton High
<b>Qualified Code:</b> I	<b>Fire Department:</b> Dunn
<b>Vacant or Improved:</b> V	<b>EMS Department:</b> Medic 15, D15 EMS
<b>Transfer of Split:</b> T	<b>Law Enforcement:</b> Dunn Police
<b>Actual Year Built:</b>	<b>Voter Precinct:</b> East Averagesboro
<b>Heated Area :</b> SqFt	<b>County Commissioner :</b> Barbara McKoy
<b>Building Count :</b> 0	<b>School Board Member:</b> Sharon Gainey









KIMBERLY S. HARGROVE  
REGISTER OF DEEDS, HARNETT  
305 W CORNELIUS HARNETT BLVD  
SUITE 200  
LILLINGTON, NC 27546

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*  
Filed For Registration: 12/09/2004 01:30:17 PM  
Book: PLAT 2004 Page: 1244-1245  
Document No.: 2004022896  
MAP 2 PGS \$21.00

Recorder: ELMIRA MCLEAN

State of North Carolina, County of Harnett

KIMBERLY S. HARGROVE, REGISTER OF DEEDS

By:

Deputy/Assistant Register of Deeds



2004022896

## CLOSED SESSION CRITERIA

(Specify one or more of the following permitted reasons for closed sessions)  
**Move that we go into closed session in accordance with:**

### **[N.C.G.S. 143-318.11(a)(1)]**

#### **Prevent the disclosure of privileged information**

- ↑ Under the North Carolina General Statutes or regulations.
- ↑ Under the regulations or laws of the United States.

### **[N.C.G.S. 143-318.11(a)(2)]**

#### **Prevent the premature disclosure of an honorary award or scholarship**

### **[N.C.G.S. 143-318.11(a)(3)]**

#### **Consult with the Attorney**

- ↑ To protect the attorney-client privilege.
- ↑ To consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action.
- ↑ To consider and give instructions concerning a judicial action titled \_\_\_\_\_ vs \_\_\_\_\_.

### **[N.C.G.S. 143-318.11(a)(4)]**

**To discuss matters relating to the location or expansion of business in the area served by this body.**

### **[N.C.G.S. 143-318.11(a)(5)]**

**To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located at \_\_\_\_\_.**

**(OR)**

**To establish or instruct the staff or agent concerning the negotiations of the amount of compensation or other terms of an employment contract.**

### **[N.C.G.S. 143-318.11(a)(6)]**

**To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.**

**(OR)**

**To hear or investigate a complaint, charge, or grievance by or against a public officer or employee.**

### **[N.C.G.S. 143-318.11(a)(7)]**

**To plan, conduct, or hear reports concerning investigations of alleged criminal conduct.**

**School violence 143-318.11(a)(8) and potential terrorist activity (9). To discuss and take action regarding plans to protect public safety.**