



**AGENDA**

**CITY OF LENOIR**  
**CITY COUNCIL MEETING**  
**905 WEST AVENUE**  
**TUESDAY, OCTOBER 1, 2024**  
**6:00 P.M.**



**I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

**II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

**III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of the City Council minutes of Tuesday, September 17, 2024 as submitted.
- B. Construction Contract; Mulberry Recreation Center Pickleball Court Conversion Project: Staff recommends awarding the construction contract for the Mulberry Recreation Center Pickleball Court Conversion Project to North State Resurfacing for a contract price of \$87,445.00. North State Resurfacing is the lowest responsive, responsible bidder, is appropriately licensed to perform the work, and specializes in sports court construction and renovation.
- C. Capital Project Budget Ordinance; Close-out of Smith Crossroads Sewer Project: Staff recommends approval of a Capital Project Budget Ordinance to close-out the Smith Crossroads Sewer Project. The project is now complete at a total cost of \$2,259,923. The project was under budget by \$320,677 and the total loan amount was \$2,209,323. Additional background information is included on the Council Action Form provided in the agenda packet along with a breakdown of expenditures.
- D. Authorizing Resolution; Lenoir-Valdese Water Interconnect Project: Staff recommends City Council approve the acceptance of the Drinking Water/Wastewater State Reserve offer of \$16,745,000 for the Lenoir – Valdese Water Interconnect Project by Resolution and authorize the City Manager and successors so titled to execute such documents as may be required by the Division of Water Infrastructure.
- E. 2025 City Council Meeting Schedule: Approval of the 2025 City Council Meeting schedule as submitted.

**IV. REQUESTS AND PETITIONS OF CITIZENS**

**V. REPORTS OF BOARDS AND COMMISSIONS**

**VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

- A. Items of Information

- 1. The Police Department will host their annual National Night Out event on Tuesday, October 1 from 6:00 p.m. - 9:00 p.m. in downtown Lenoir.
- 2. The 2025 Holiday Schedule will be provided to City Council as information.
- 3. The Economic Development Advisory Board will meet on Tuesday, October 8 at 8:15 a.m. at the J. E. Broyhill Civic Center.

4. The ABC Board will meet on Thursday, October 10 at 1:30 p.m.
5. The Lenoir Business Advisory Board will meet on Thursday, October 10 at 6:00 p.m. at City Hall, Third Floor.
6. The City/County Services Committee will meet on Monday, October 14 at noon.
7. Early voting will be held at the Caldwell Resource Center (former Library) beginning on Thursday, October 17 from 8:00 a.m. – 7:30 p.m. Monday through Friday and on Saturday, October 19 from 8:00 a.m. – 3:00 p.m. Early voting will continue through Saturday, November 2 at the Caldwell Resource Center. Election Day is Tuesday, November 5.

B. Items for Council Action

**VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**

**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

**IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS**

1. Pursuant to N.C.G.S. §143-318.11.4, City Council will enter into closed session to discuss economic development.

**X. ADJOURNMENT**

**LENOIR CITY COUNCIL  
TUESDAY, SEPTEMBER 17, 2024  
6:00 P.M.**

**PRESENT:** Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood, Kimmie Rogers, David Stevens, Crissy Thomas, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney Timothy Rohr.

**CITY STAFF:** In attendance was Finance Director Donna Bean, Fire Chief Norman Staines, Deputy Fire Chief Kenny Nelson, Police Major Andy Wilson, Planning Director Hannah Williams, Economic Development & Main Street Director Brenda Floyd, Parks & Recreation Director Phil Harper, Public Services & Public Works Director Jon Hogan, Director of Special Projects & Grants Jared Wright and Public Information/Communication Director, Joshua Harris.

**ABSENT:** Police Chief Brent Phelps.

**I. CALL TO ORDER**

- A. The meeting was opened by a moment of silence and the pledge of allegiance as led by Mayor Gibbons.
- B. On behalf of City Council, Mayor Gibbons asked everyone to keep our nation in their thoughts and prayers and pray for unity for all of our leaders that they will make good decisions for our country.

**PREAMBLE TO THE  
CONSTITUTION:**

- C. On behalf of City Council, Mayor Gibbons asked City Attorney Timothy Rohr to recite the Preamble to the Constitution since we are celebrating the 237<sup>th</sup> anniversary of Constitution Day.

Attorney Rohr recited the Preamble as follows, "We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Mayor Gibbons and City Council members congratulated Attorney Rohr for the great job and he encouraged everyone to read and study the Constitution. He also reminded Council their oaths of office references their support of the Constitution and how they will maintain the laws of the United States.

**COMMENDED; WEST CALDWELL  
HIGH SCHOOL COLOR GUARD:**

- B. Wayne Mihelich, American Legion Post 29 Parliamentarian, presented the West Caldwell Color Guard members who won the National Championship at the National American Legion conference in Los Angeles this year. At the convention, the Color Guard members were asked

to post the colors and retire the colors. In 2023, the group competed against eight schools and was also awarded the championship. He stated the group is still the reigning champions.

Other Post 29 members in attendance were Irv Eurto, Historian, Wesley Woods, Second Vice-Commander, and Woody Smith, member.

Mr. Mihelich shared all of the members of the Color Guard are sons of American Legion members with either their grandfather or father having served. In addition, Mr. Mihelich explained the second category they competed in was (Open Class) where they competed against a female Color Guard who had previously won in this category. Mr. Mihelich pointed out the medallions each member are wearing acknowledges them as distinguished visitors and he further shared each member of the Color Guard was presented with his own personal coin. He mentioned the medallions were presented to them by the Sons of The American Legion.

Mayor Gibbons stated City Council and the City of Lenoir are extremely proud of these young men and their outstanding accomplishments. He thanked them for sharing and for all they are doing for the community and encouraged them to keep moving forward with this program.

#### **GREENWAY PUBLIC TRANSPORTATION; CALDWELL MICRO-TRANSIT SYSTEM:**

- C. Mr. Michael Bowman, Executive Director, presented information regarding the Greenway Public Transportation-Caldwell Micro-Transit to City Council.

(A copy of the handout and map/zone is attached to these minutes as information.)

Mr. Bowman stated the Micro-Transit is a same day, on demand, curb to curb, shared ride service. The Micro-Transit currently covers portions of Lenoir and Hudson and he explained the zone they service could potentially grow if data and funding support changes. Service hours are from 7:00 a.m. – 5:00 p.m. Monday through Friday and rides are on a first come/first serve basis. Customers are able to schedule a pickup within 30 minutes from the time a request is made. Also, Mr. Bowman stated that travel training is offered for individuals and groups free of charge.

Mr. Bowman pointed out they will conduct a pilot program and customers may schedule advanced service. The cost will be \$2.50 cash each way and customers may bring an attendant for free. He shared that fees are determined based on what category a customer may be in. Mr. Bowman reported they plan to market/advertise the service on the radio and other social media. He further stated if they are successful with their grant application, they plan to develop an app in order to make it easier for people to schedule services. He shared the grant process may take about a year.

On behalf of City Council, Mayor Gibbons thanked Mr. Bowman for the good report.

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

### **STREET CLOSING ORDER; SHARON STREET BETWEEN SHARON AVENUE & US HWY 321:**

- A. A public hearing was held for City Council's consideration of approval to close the

unopened Right-of-way off of Sharon Street between Sharon Avenue and US Hwy 321. The Resolution of Intent was advertised in the Lenoir News-Topic on the following dates:

August 22<sup>nd</sup> and 29<sup>th</sup> and September 5<sup>th</sup> and 12<sup>th</sup>, 2024 for the street closure consistent with N.C.G.S. 160A-299.

A copy of the Street Closing Order and plat is attached to these minutes as information.

Mayor Gibbons opened the public hearing to receive public comments regarding the Street Closing Order.

Planning Director Hannah Williams explained that neighbors on each side of the road are in favor of closing the right-of-way and have signed the petition. She stated a sign was posted at each end of the right-of-way and Staff mailed a copy of the Resolution of Intent to both property owners that abut the property in addition to all of the residents of the neighborhood.

Director Williams further reported she contacted NCDOT District Engineer Kenny Heavner, PE, and he confirmed that NCDOT has no plans to expand this section of US Hwy 321. Mr. Heavner also reviewed the City's plans for this project and was in agreement with them.

There being no further public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Upon a motion by Councilmember Beal, City Council voted 7 to 0 to adopt the Street Closing Order to close the unopened Right-of-way off of Sharon Street between Sharon Avenue and US Hwy 321 pursuant to N.C.G.S. 160A-299 and as recommended by City Staff.

### **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, September 3, 2024 as submitted.
- B. Minutes: Approval of the Committee of the Whole minutes of Tuesday, August 27, 2024 as submitted.
- C. Resolution of Intent; to Close a Portion of Virginia Street: City Staff recommends City Council adopt the Resolution of Intent to close a section of Virginia Street from 815 Virginia Street to 1021 Virginia Street, and call for a public hearing to be held at a Special Meeting at the City County Chambers on Tuesday, October 22, 2024 at 5:00 p.m. The Resolution of Intent will be advertised for four (4) consecutive weeks in the Lenoir News-Topic for the street closure consistent with N.C.G.S. 160A-299 as submitted. (A copy of the Resolution of Intent is attached to these minutes as reference.)

Upon a motion by Councilmember Perdue, City Council voted 7 to 0 to adopt items A through C on the Consent Agenda as described above and as recommended by City Staff.

### **IV. REQUESTS AND PETITIONS OF CITIZENS**

### **V. REPORTS OF BOARDS AND COMMISSIONS**

### **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

## **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

### **Items of Information**

#### **PLANNING**

- BOARD:** 1. The Planning Board will meet on Monday, September 23 at 5:30 p.m. at the City/County Chambers.

#### **BOARD OF**

#### **ADJUSTMENT:**

2. The Board of Adjustment will meet on Thursday, September 26 at 5:30 p.m.

#### **COMMITTEE OF THE WHOLE:**

3. The Committee of the Whole will meet on Tuesday, September 24 at 8:30 a.m. at City Hall, Third Floor.

#### **FOOTHILLS REGIONAL AIRPORT AUTHORITY:**

4. The Foothills Regional Airport Authority will meet on Wednesday, September 25 at noon at the airport facility.

#### **NCDOT FALL LITTER**

- SWEEP:** 5. The North Carolina Department of Transportation's Fall Litter Sweep ends on Saturday, September 28.

#### **EMPLOYEE LITTER**

- SWEEP:** 6. The City of Lenoir's Employee Litter Sweep day will be held on Thursday, September 26 from 9:00 a.m. – noon.

#### **B. Items for Council Action**

## **VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**

## **VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

## **IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

## **X. ADJOURNMENT**

- A. There being no further business, the meeting was adjourned at 6:35 p.m.

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Shirley M. Cannon, City Clerk

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Joseph L. Gibbons, Mayor

**CITY OF LENOIR**

**STREET CLOSING ORDER**

A Resolution Ordering the Closing of unopened Right-of-Way off Sharon Street between Sharon Avenue and US-321

**WHEREAS**, on the 6<sup>th</sup> day of August, 2024, the City Council of the City of Lenoir directed the City Clerk to publish the Resolution of Intent of the City Council to consider the closing of Sharon Street between Sharon Avenue and US-321, in the Lenoir News-Topic newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the City of Lenoir Council Chambers, 905 West Avenue, on Tuesday, September 17, 2024; and

**WHEREAS**, the Lenoir City Council on the 6<sup>th</sup> day of August, 2024 ordered the City Clerk to notify all persons owning property abutting on that portion of property located on Sharon Street between Sharon Avenue and US-321, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent, and

**WHEREAS**, the City Clerk has advised the City Council that a letter was sent to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent, and advising the abutting property owners that the question as to closing Sharon Street between Sharon Avenue and US-321 would be acted upon, said letters having been sent by registered or certified mail; and

**WHEREAS**, the City Clerk has advised the City Council that adequate notices were posted on the applicable streets as required by G. S. 160-A299; and

**WHEREAS**, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any

objections that they might have with respect of the closing of said street in the public hearing held on Tuesday, September 17; and

**WHEREAS**, it now appears to the satisfaction of the City Council that the closing of Sharon Street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street or in the subdivision at which the street is located, will as a result of the closing, be thereby deprived of a reasonable means of ingress and egress to his property.

**NOW, THEREFORE**, Sharon Street between Sharon Avenue and US-321, is specifically being hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the adjacent property owners in accordance with the provisions of G.S.160A-299.

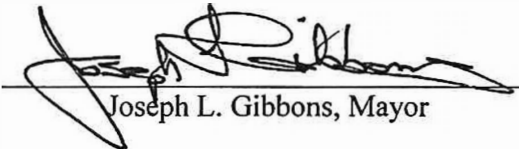
There is reserved a public utility easement to the City of Lenoir.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all rights, title and interest in Sharon Street of the herein closed street (with provision for reservation of easements of the City of Lenoir for utility purposes) in accordance with the provision of G. S. 160A-299 (c).

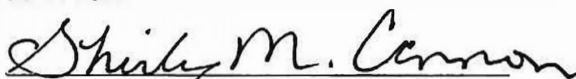
The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds for Caldwell County a certified copy of this resolution and order.

This is the 17<sup>th</sup> day of September, 2024.

SEAL

  
Joseph L. Gibbons, Mayor

ATTEST:

  
Shirley M. Cannon, City Clerk

CITY OF LENOIR, NC  
CHARTERED  
JANUARY 28, 1851

SEAL

## RESOLUTION OF INTENT

### **A Resolution Declaring the Intention of the Lenoir City Council as Petitioned by the Adjacent Property Owners to Consider the Closing Virginia Street between 815 and 1021 Virginia St**

**WHEREAS**, G.S. 160A-299 authorizes the Lenoir City Council to close public streets and alleys; and

**WHEREAS**, the Lenoir City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Virginia Street between 815 and 1021 Virginia Street; and

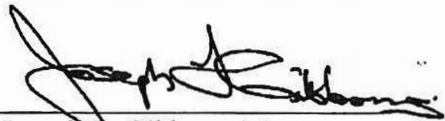
**NOW, THEREFORE BE IT RESOLVED** by the Lenoir City Council that:

- (1) A meeting will be held at 5:00 p.m. on the 22nd day of October, 2024, in the City/County Chambers, 905 West Avenue, to consider a resolution closing Virginia Street Right-of-Way.
- (2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the News-Topic, or other newspaper of general circulation in the area.
- (3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

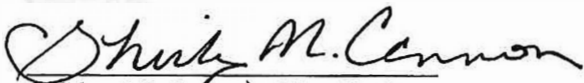
Any person with a disability needing special accommodations should contact the City Clerk's office 72 hours prior to the scheduled meeting time.

Adopted this the 17<sup>th</sup> day of September, 2024.

SEAL

  
\_\_\_\_\_  
Joseph D. Gibbons, Mayor

ATTEST:

  
\_\_\_\_\_  
Shirley M. Cannon, City Clerk

**CITY OF LENOIR**  
**COUNCIL ACTION FORM**

**I. Agenda Item:**

Awarding of the construction contract for the Mulberry Recreation Center  
Pickleball Court Conversion project

**II. Background Information:**

The City of Lenoir identified a need for construction of additional pickleball courts at the Mulberry Recreation Center to compliment the four (4) courts recently converted and currently in use. The popularity of pickleball has dramatically risen nation-wide, and the City proactively planned to expand its pickleball offerings by converting former tennis courts (most recently serving as a batting cage area) into six (6) additional courts. During the planning and evaluation process to determine new pickleball court layout, it was determined that additional courts could be gained by reconfiguring the current pickleball court area in addition to construction of the proposed new courts. With renovation of the existing courts and construction of new courts, the proposed layout yields twelve (12) total courts. An initial Request for Proposals (RFP) was delivered to interested sports court contractors in late August, however only one (bid) was received and the project could not be considered for awarding at that time. A revised RFP was delivered to interested parties on September 13, and a total of three (3) bids were received by September 26, 2024. All bids included the required project scope, including minor crack repair, surface preparation, court coating/resurfacing, striping, and installation of posts and nets.

**III. Staff Recommendation:**

Staff recommends awarding the construction contract for Mulberry Recreation Center Pickleball Court Conversion project to **North State Resurfacing** for a contract price of **\$87,445.00**. North State Resurfacing is the lowest, responsive, responsible bidder, is appropriately licensed to perform the work, and specializes in sports court construction and renovation.

**IV. Reviewed by:**

**City Attorney:** \_\_\_\_\_

**Finance Director:** \_\_\_\_\_



**Director of Special Projects and Grants:** \_\_\_\_\_

**Parks and Recreation Director:** \_\_\_\_\_

**Attachments:**

- **Request for Proposals dated September 13, 2024**
- **North State Resurfacing Bid dated September 25, 2024**
- **Bid Tabulation**



## REQUEST FOR PROPOSALS – REVISED September 13, 2024

CITY OF LENOIR, NORTH CAROLINA

### MULBERRY RECREATION CENTER PICKLEBALL COURT CONVERSION

The City of Lenoir is seeking proposals from qualified sports court contractors for conversion of 4 current pickleball courts and two old tennis courts into twelve new outdoor pickleball courts at the Mulberry Recreation Center, located at 720 Mulberry Street SW, Lenoir, North Carolina 28645.

**Posting Date: September 13, 2024**

**Proposals Due: September 25, 2024**

Contact:

Phillip Harper, Parks and Recreation Director, City of Lenoir, 828.757.2166, [phil.harper@ci.lenoir.nc.us](mailto:phil.harper@ci.lenoir.nc.us)

Jacob Guiot, Mulberry Recreation Center Manager, City of Lenoir, 828.757.2165, [jacob.guiot@ci.lenoir.nc.us](mailto:jacob.guiot@ci.lenoir.nc.us)

## 1. DESCRIPTION

This project involves converting two (2) old tennis courts and four (4) existing pickleball courts into a total of twelve (12) pickleball courts. The work includes cleaning, resurfacing, filling minor cracks, installing new net posts and nets, and striping the courts. Bidders are strongly encouraged to visit the site and perform independent investigation of the existing court condition prior to submitting a bid. The City of Lenoir will not be responsible for additional costs incurred during construction should the successful bidder enter into a contract for the scope of work without performing a site visit and exercising due care and diligence in preparation and submission of a bid. **Please note that the City intends to repair existing expansion joint(s) in the concrete slab prior to issuing a Notice to Proceed for this scope of work. Bidders should consider minor crack and surface repairs as incidental to the work and include costs for these repairs in the base bid.**

#### Site Preparation:

- **Cleaning:** The contractor shall clean the entire surface area of the existing courts. This includes removing all debris, dirt, vegetation, and loose materials to ensure a clean and stable base for repairs and resurfacing.

#### Minor Crack and Surface Repair:

- **Crack Filling:** Fill all cracks using E330 filler or an approved equivalent material. Ensure the cracks are properly prepared before filling to maximize adhesion and longevity.
- **Low Area Filling:** Identify and fill all low-lying areas using acrylic patch binder or an approved court filler. The filled areas should be leveled and smoothed to ensure a consistent playing surface, and prevent water pooling.

#### Net Post Installation:

- **Relocation of Existing Net posts and Nets:** The existing nets shall be relocated as necessary to fit the final configuration of the 12 pickleball courts. Any holes left from the previous net posts must be filled and brought back to the same condition as the existing court surface.
- **Installation of New Post and Nets:** Provide and install additional net post pillars where required. The new posts must be installed securely to support permanent pickleball nets.

#### Resurfacing:

- **Acrylic Resurfacer Application:** Apply one (1) coat of acrylic resurfacer to the entire court area. The resurfacer must be spread evenly to ensure a uniform base for the playing surface.
- **Acrylic Playing Surface Application:** Apply two (2) coats of acrylic playing surface material to the entire court area. The material should be applied according to the manufacturer's recommendations to ensure a durable and high-quality finish.

#### Court Striping:

- **Primer Coat:** Apply one (1) coat of primer to the areas where the pickleball court lines will be striped.
- **Line Striping:** Apply two (2) coats of texturized white line paint to stripe the twelve pickleball courts. The striping must be accurate, straight, and comply with official pickleball court dimensions and standards.

#### Expansion Joint Treatment:

- **NOT INCLUDED IN THIS SCOPE OF WORK:** City of Lenoir staff will address the existing expansion joint(s) prior to issuing a *Notice to Proceed* to the successful contractor to complete this project.

## 2. INSTRUCTIONS TO BIDDERS.

Bidders are asked to submit a lump sum proposal for this work on company letterhead, inclusive of a detailed scope of work to complete all tasks as described in this RFP. Additionally, bidders are asked to include a preliminary schedule with their bid, indicating possible start dates and estimated times of completion. Bidders shall be appropriately licensed to complete the work in accordance with the North Carolina Licensing Board for General Contractors, and maintain commercial general liability, auto, and worker's compensation insurance in accordance with City policies and North Carolina general statutes. Submission of a copy of the contractor's license and certificates of insurance (COI) will be required prior to execution of the contract.

Bids should be submitted via email to City staff listed above by 5:00pm local time on the date of closing.

The City reserves the right to reject all bids and re-advertise the contract at a later date, delay awarding of the contract, or negotiate the project scope with the apparent low bidder, should the low bid exceed the current project budget.

### Attachments:

#### Aerial Image of the Project Area



Released by Drew Alford on Sep 25, 2024

Released



PO Box 387 • Wendell, NC 27591 • Phone: 919-365-7500

Jacob Guiot  
Phone: 8287572165 ext. 3104

Job Address:  
720 Mulberry Street SW  
Lenoir, NC 28645

Print Date: 9-25-2024

## Proposal for Mulberry Recreation Center

[www.northstateresurfacing.com](http://www.northstateresurfacing.com)

**NC License#: 73842 | VA License#: 2705157542**

Thank you for considering North State Resurfacing for your project. Since 1990, we have specialized in the construction and resurfacing of tennis courts, basketball courts, pickleball courts, and a wide variety of multi-use recreational surfaces.

At North State Resurfacing, customer satisfaction is our top priority. Our commitment to using superior materials, delivering quality workmanship, and paying attention to detail has earned us an outstanding reputation among our clients. We are proud to be an authorized distributor and applicator of Laykold, the official surface of the US Open, and Nova Sports USA, known for the world's best all-weather sports surfaces. Additionally, we are the exclusive developer and installer of the North State Polyester System, an innovative and guaranteed process for repairing cracks.

As a fully licensed, bonded, and insured company, we have the experience and technical expertise to address a wide variety of surfaces and field conditions. We would greatly appreciate the opportunity to assist you with your project.

**AUTHORIZED INSTALLERS OF:**



## MULBERRY RECREATION CENTER PICKLEBALL COURT CONVERSION

Convert the existing pad into 12 pickleball courts based on the provided drawings

### Mobilization

| Items        | Description                        |
|--------------|------------------------------------|
| Mobilization | Includes travel, setup, and labor. |

### Fence Work

**\*\*The existing fence in the drawing shown as red will be removed by the owner unless otherwise specified.\*\***

| Items         | Description                                                                                                                                                                                                                                                                       |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Divider Fence | Supply and install a 5' high black vinyl divider fence, approximately 198' +/- in length, to separate the pickleball courts. The fence shall terminate 4' from the perimeter fence to ensure optimal spacing and court accessibility.<br><br>\$8,950.0000 included in TOTAL PRICE |

### Net Post Foundations

| Items                           | Description                                                                                                                                                                                                                                                                                                  |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pickleball Net Post Foundations | Excavate and set concrete foundations for twelve (12) pickleball court net posts and center strap anchors. Net post foundations will measure 18" x 18" wide and 36" deep, with sleeves installed to allow for easy post replacement in the future. Center strap anchors will be 12" x 12" wide and 12" deep. |

### Surface Preparation

| Items                 | Description                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Court Debris Removal  | Clean and scrape courts of all loose material, dirt, foreign matter and debris.                                                                                                                                                                                                                                                                                                          |
| Birdbaths/Depressions | North State will tack-coat and patch depressions and birdbaths holding more than 1/8" of water after one hour on a 70°F sunny day using acrylic patching material. While this will improve drainage, the complete elimination of standing water cannot be guaranteed. Price includes one (1) application. (Refer to Section 5 under the proposal terms and conditions for more details.) |
| Patch Work            | North State will clean out and patch cracks as necessary using acrylic patching material. While this process addresses existing cracks, please note that cracks may reappear over time. For more durable results, consider manufactured crack repair systems designed to better accommodate surface movement.                                                                            |

### Surfacing

| Items              | Description                                                                                                                                                                                |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Acrylic Resurfacer | Apply one (1) coat of Laykold, sand-filled acrylic resurfacer, (or equivalent) to the entire court surface as a filler coat following the manufacturer's directions and application rates. |

| Items       | Description                                                                                                                                                                              |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Color Coats | Apply two (2) coats of Laykold, sand-filled color resurfacer, (or equivalent) to the entire court surface as a color coat following the manufacturer's directions and application rates. |

### Playing Lines

| Items            | Description                                                                                                                                                                                 |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Line Primer      | Prior to painting lines, provide one (1) coat of Nova Seal-A-Line (or equivalent) to seal tapes for a crisp/sharp line edge.                                                                |
| Pickleball Lines | Layout, tape and hand paint 2" wide pickleball lines using Novatex, textured acrylic line paint (or equivalent).<br>Dimensions of the playing lines are to conform to USAPA specifications. |

### Completion

| Items                | Description                                                                                                                                         |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| New Pickleball Posts | Provide and install eight (8) sets of Putterman pickleball net posts with external wind reels and removable handle. GREEN                           |
| Install New Nets     | Provide and install eight (8) Putterman nets including center straps.                                                                               |
| Clean & Inspection   | North State will clean up the area and dispose of all debris related to our scope of work, leaving the courts in a clean condition, ready for play. |

**Total Price: \$87,445.00**

### Proposal Terms and Conditions:

#### 1. Validity of Proposal:

This proposal is valid for 30 days from the date issued and may be withdrawn if not accepted within this period.

#### 2. Owner's Responsibilities:

- The Owner shall provide potable water and electricity within 200 feet of the courts.
- Suitable access to the courts, including an area for washing equipment, must be provided.
- The Owner is responsible for re-seeding grass and replacing any shrubbery that may be disturbed during the project.
- The Owner shall provide a suitable area for storing materials such as fencing and electrical components.
- The Owner shall carry Fire, Tornado, and any other pertinent insurance.

#### 3. Weather Limitations:

- Air and surface temperatures must be 50 degrees F and rising.
- Installation cannot be performed when rain is imminent or extremely high humidity prevents drying.
- Installation cannot be performed if the surface temperature is above 140 degrees F.

#### 4. Surface and Material Limitations:

- North State Resurfacing cannot guarantee that cracks won't reappear unless a guaranteed crack repair system is accepted. Crack repair systems such as Guardian or Polyester may cause dead spots or buckling of the surface; this is considered normal and not a defect.

- Standing water (birdbaths) may only be minimized due to possible inadequate slope or drainage. Only one attempt will be made to correct this issue at the contracted price.
- Rust stains caused by asphalt content are not guaranteed.
- Damages caused by growth under or within the asphalt surface, such as roots or fungus, are not guaranteed.
- Excessive moisture under the court surface may negatively affect our surface materials, including seeping water, degradation of asphalt, dead spots, and/or bubbles. North State Resurfacing is not responsible for these conditions. Consulting a Geotechnical Engineer may be recommended if these issues exist.

#### 5. Birdbaths/Depressions Disclaimer:

- **Scope of Work:** North State Resurfacing will focus on improving water drainage and surface levelness. However, this item specifically excludes addressing major depressions or damages indicative of significant paving errors.
- **Definition of Major Depressions:** Major depressions are defined as any depression deeper than 1/8 of an inch or spanning a diameter or length greater than 5 feet. These issues fall outside the scope of typical wear-and-tear maintenance.
- **Responsibility for Major Depressions:** Issues fitting the criteria above should be addressed by the contractor responsible for the initial paving. North State Resurfacing is not liable for rectifying extensive surface issues resulting from initial paving or construction errors. These cases should be directed to the initial paving contractor under their warranty or service agreement.
- **Limitations of Repair:** Repairs under this item are limited to minor adjustments and do not include comprehensive re-paving or large-scale reconstruction. North State Resurfacing cannot guarantee the complete elimination of standing water in affected areas.
- **Client Responsibilities:** Clients are advised to review and confirm the condition of the court prior to the commencement of work. Any discrepancies should be reported immediately to North State Resurfacing.

#### 6. Exclusions:

Layout, traffic control, permits, testing, and inspection are not included unless specifically noted above.

#### 7. Access and Property Damage:

North State Resurfacing is not responsible for any damages to property associated with accessing the courts, such as curbs, gutters, walkways, etc.

#### 8. Underground Utilities Disclaimer:

North State Resurfacing shall not be held liable for any consequences resulting from damage to underground utilities or objects not adequately located by the property owner and/or the governing local underground locating service.

#### 9. Rock Boring Exclusion:

The contract price does not include boring through any rock. North State Resurfacing is willing to perform such work upon mutual agreement and the signing of a written change order.

#### 10. Mobilization:

One (1) mobilization is included. Each additional mobilization will incur a charge of \$3,000.00.

#### 11. Payment Terms:

- Individual billings will be issued as work progresses. A deposit may be requested for materials.
- Unpaid balances are subject to finance charges of 1.5% per month (18% per annum). Credit verification may be required.
- Terms: Net 30 days.
- If collection efforts or legal action become necessary to enforce this agreement, North State Resurfacing shall be entitled to recover all costs and attorneys' fees, which will be added to the amount due under this Proposal/Contract.

#### 12. Alterations and Deviations:

Any alteration or deviation from the above specifications involving extra costs will only be executed upon written order and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control.

#### 13. Insurance Coverage:

North State Resurfacing carries appropriate Liability and Workman's Compensation insurance.

#### 14. Color Selection:

Color will be as desired from the color chart. Please view selections at: [Biggest Color in Tennis — Laykold - Official Surface of the US Open](#) and [Color Selector | Nova Sports U.S.A.](#)

#### 15. Guarantee:

- One (1) year against defective materials and labor unless otherwise noted.

I confirm that my action here represents my electronic signature and is binding.

**Signature:** \_\_\_\_\_

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

**Print Name:** \_\_\_\_\_



**City of Lenoir**  
**Parks and Recreation Department**  
**Mulberry Recreation Center - Pickleball Court Conversion**  
**Bid Tabulation (9/26/24)**



| Bidder                       | Total Base Bid |
|------------------------------|----------------|
| North State Resurfacing      | \$87,445.00    |
| Thermal Belt Sports Surfaces | \$89,915.00    |
| USA Court Builders           | \$91,100.00    |
|                              |                |
|                              |                |
|                              |                |

\*\*Pricing is based upon the attached *Request for Proposals* dated September 13, 2024.\*\*

# CITY OF LENOIR

## COUNCIL ACTION FORM

### 1. Agenda Item:

Crossroad Sewer Project Closeout.

### 2. Background Information:

The City of Lenoir periodically establishes capital project ordinances for endeavors that involve construction/infrastructure activities or grant funding for a particular purpose covering more than one year. In most cases, the duration of a project will extend from one fiscal year into another. Consequently, the adoption of a capital project ordinance allows the governmental entity to appropriate funds for the life of the project without the governing board having to reallocate funding on a fiscal year basis.

The City adopted the Capital Project Budget Ordinance for the Crossroads Sewer Replacement project on the 8th day of January, 2020 with a total project budget of \$2,830,500. Funding for the project is through a SRF Loan at a rate of 2.16% for 20 year with a 2% loan fee. The total original loan amount was for \$2,830,500.00 for the design, construction, and project administration, all engineering and professional services and contingency. Local funds were allocated for closing costs. The project was amended on the 18th day of August, 2022 to a total cost of \$2,580,600. The project is now complete at a total cost of \$2,259,923. The cost of the right-of-way was taken from operating funds. The City paid closing cost of \$50,600. The breakdown of the expenditures is as follows:

| Description           | Original Budget | Prior Changes  | Change Order #1           | Recommended    | Actual         | Variance     | Reimbursed from Loan |
|-----------------------|-----------------|----------------|---------------------------|----------------|----------------|--------------|----------------------|
| Engineering           | \$371,000.00    | \$9,370.00     |                           | \$380,370.00   | \$385,843.00   | (\$5,473.00) | \$385,843.00         |
| Land and Right-Of-Way | \$0.00          | \$50,000.00    | paid from Operating Funds | \$50,000.00    |                | \$50,000.00  | \$0.00               |
| Construction          | \$2,186,000.00  | (\$277,170.00) | \$25,509.48               | \$1,934,339.48 | \$1,823,480.00 | \$110,859.48 | \$1,823,480.00       |
| Contingency           | \$218,000.00    | (\$27,200.00)  | (\$25,509.48)             | \$165,290.52   |                | \$165,290.52 |                      |
| Closing Costs         | \$55,500.00     | (\$4,900.00)   |                           | \$50,600.00    | \$50,600.00    | \$0.00       |                      |
| Total Expenditures    | \$2,830,500.00  | (\$249,900.00) | \$0.00                    | \$2,580,600.00 | \$2,259,923.00 | \$320,677.00 | \$2,209,323.00       |
|                       |                 |                |                           |                |                |              |                      |
| FINAL                 | \$2,830,500.00  | (\$249,900.00) | \$0.00                    | \$2,580,600.00 | \$2,259,923.00 | \$320,677.00 | \$2,209,323.00       |
|                       |                 |                |                           |                |                |              |                      |

**Section 4:** The following revised revenues are anticipated to be available to complete this project:

| Description                              | Original Budget | Prior Changes  | Change Order #1 | Recommended    | Actual         | Variance     |  |
|------------------------------------------|-----------------|----------------|-----------------|----------------|----------------|--------------|--|
| Clean Water State Revolving Fund (2.16%) | 2,775,000.00    | (\$245,000.00) | -               | \$2,530,000.00 | \$2,209,323.00 | \$320,677.00 |  |
| Local Funding                            | \$55,500.00     | (\$4,900.00)   | -               | \$50,600.00    | \$50,600.00    | \$0.00       |  |
|                                          | \$2,830,500.00  | (\$249,900.00) | \$0.00          | \$2,580,600.00 | \$2,259,923.00 | \$320,677.00 |  |

The project was under budget by \$320,677. The total loan amount was \$2,209,323.

**3. Staff Recommendation:**

Staff requests approval to close out the capital project noted above. A Capital Project Budget Ordinance to Close Capital Project has been prepared and is attached for your review and approval.

**4. Staff Recommendation:**

Staff requests approval to close out the capital project noted above. A Capital Project Budget Ordinance to Close Capital Project has been prepared and is attached for your review and approval.

**5. Reviewed By:**

**Finance Director:** *Donna Bean*

**Public Works/Public Utilities Director:**

**City Manager:**

**ORDINANCE #2024-CR****CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT FOR THE  
CITY OF LENOIR**

**WHEREAS**, the City Council of the City of Lenoir has adopted a Capital Budget Ordinance on January 8<sup>th</sup>, 2020, in accordance with the General Statutes of the State of North Carolina, and

**WHEREAS**, the City Council desires to recognize the completion of the following Capital Project and

**WHEREAS**, The City adopted the Capital Project Budget Ordinance for the Crossroads Sewer Replacement Project on the 8th day of January, 2020 with a total project budget of \$2,830,500.00. The project was amended on 18<sup>th</sup> day of August, 2022 to a total cost of \$2,580,600. The project is now complete at a total cost of \$2,259,923. The City paid closing cost of \$50,600.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR,  
NORTH CAROLINA, THAT:**

The Capital Project Budget Ordinance for the Crossroads Sewer Replacement Project be closed.

Adopted this 1st day of October, 2024

**SEAL**

\_\_\_\_\_ **Joseph L. Gibbons, Mayor**

**ATTEST:**

\_\_\_\_\_ **Shirley M. Cannon, City Clerk**

## CITY OF LENOIR COUNCIL ACTION FORM

- I. **Agenda Item:** Resolution by Lenoir City Council to accept an offer of funding.

**Background Information:** The City of Lenoir has received funding in the amount of \$16,745,000 after loan origination fees from the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). The funding will be used to fund the Lenoir – Valdese Interconnect to provide a back-up water source for the City of Lenoir.

- II. **Staff Recommendation:** Staff Recommends City Council approving the acceptance of the Drinking Water/Wastewater State Reserve offer of \$16,745,000 for the Lenoir – Valdese Water Interconnect Project.

- III. **Reviewed by:**

City Attorney: \_\_\_\_\_

Finance Director: Donna Bean

CITY MANAGER  
SCOTT E. HILDEBRAN



CITY OF LENOIR  
NORTH CAROLINA

MAYOR  
Joseph L. Gibbons

CITY COUNCIL  
J.T. BEAL  
T.H. PERDUE  
J.I. PERKINS  
R. PRESTWOOD  
K.R. ROGERS  
D.F. STEVENS  
C.D. THOMAS

## RESOLUTION BY LENOIR CITY COUNCIL TO ACCEPT AN OFFER OF FUNDING

**WHEREAS,** the City of Lenoir has received an earmark for the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). To assist eligible units of government with meeting their water/wastewater infrastructure needs, and

**WHEREAS,** The City of Lenoir has received funding in the amount of \$16,745,000, after administration fees, from the Drinking Water/Wastewater State Reserve. The funding will be used to fund the Lenoir – Valdese Interconnect to provide a back-up water source for the City of Lenoir.

**WHEREAS,** the **City of Lenoir** intends to perform said project in accordance with the agreed scope of work.

### NOW, THEREFORE, BE IT RESOLVED BY THE LENOIR CITY COUNCIL OF THE CITY OF LENOIR:

That **City of Lenoir** does hereby accept the Drinking Water/Wastewater State Reserve offer of **\$16,745,000** for the Lenoir – Valdese Interconnect. That the **City of Lenoir** does hereby give assurance to the North Carolina Division of Water Infrastructure that any Conditions or Assurances contained in the Award Offer will be adhered to.

That **Scott Hildebran, 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 Division of Water Infrastructure.

Adopted this the **1st day of October, 2024** at Lenoir, North Carolina.

SEAL

\_\_\_\_\_  
Joseph L. Gibbons, Mayor

ATTEST:

\_\_\_\_\_  
Shirley M. Cannon, City Clerk

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

NORTH CAROLINA  
Environmental Quality

September 2, 2024

Scott Hildebran, City Manager  
City of Lenoir  
PO Box 958  
Lenoir, NC 28645

Subject: Letter of Intent to Fund  
S.L. 2023-134 Appropriations Act Directed Project  
Lenoir-Valdese Interconnect Project  
DWI Project No.: SRP-D-134-0165

Dear Mr. Hildebran:

The Division of Water Infrastructure (Division) has received your *Request for Funding* for the aforementioned project for up to \$16,745,000 from the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). Projects funded from the State Reserve must meet applicable State laws and guidance for expenditure of these funds. The following table shows total S.L. 2023-134 appropriations for your local government excluding the Department's administrative fee as amended in S.L. 2024-1, awarded projects and their funding amounts identified to date, and any remaining unobligated appropriations at the time of this letter.

#### S.L. 2023-134 Appropriations Act Approved Projects

| S.L. 2023-134 Approved Projects for S.L. 2023-134 Section 12.2.(e) Line # 99 Appropriation |                |                        |
|--------------------------------------------------------------------------------------------|----------------|------------------------|
| Appropriated Funds Available for Projects<br>(excluding administrative costs)              |                | \$16,745,000           |
| Project Name                                                                               | Project Number | Maximum Funding Amount |
| Lenoir-Valdese Interconnect Project                                                        | SRP-D-134-0165 | \$16,745,000           |
|                                                                                            |                |                        |
| Total Appropriations requested                                                             |                | \$16,745,000           |
| Total Appropriations remaining                                                             |                | \$0                    |



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

Scott Hildebran, City Manager  
 City of Lenoir  
 September 2, 2024  
 Page 2 of 3

The first milestone for this project is the submittal of a bid-and-design package by **December 1, 2025**. Please note that this intent to fund is contingent on meeting all the following milestones:

| Milestone                                                                                      | Milestone Date*   |
|------------------------------------------------------------------------------------------------|-------------------|
| Apply for all Necessary Permits**                                                              | ASAP              |
| Bid-and-Design/Permit Package Submittal                                                        | December 1, 2025  |
| Bid-and-Design Package Approval                                                                | April 1, 2026     |
| Advertise Project, Receive Bids, Submit Bid Information, <u>and</u> Receive Authority to Award | June 1, 2026      |
| Execute Construction Contract(s)                                                               | September 1, 2026 |

\* Milestone dates only apply to the S.L. 2023-134 portion of funding.

\*\*An engineering alternatives analysis (EAA) may be required on certain projects. See: <https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/npdes-wastewater/permitting-process>

The Division will consider milestone timeline modification including extensions provided that appropriate justification for granting extension is provided.

#### Environmental Review Requirements

The State Environmental Policy Act exempts projects funded by the State Reserve (such as this project) from state-mandated environmental review. Federal requirements may still apply. [North Carolina General Statute (NC G.S.) 113A-12.(2).(h)]

#### Drought Bill Requirements

In accordance with NC G.S. 143-355.4, a project “for the purpose of extending waterlines or expanding water treatment capacity” must document numerous requirements during the review process. You can find additional information at the following link:  
[ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_143/gs\\_143-355.4.html](http://ncleg.net/enactedlegislation/statutes/html/bysection/chapter_143/gs_143-355.4.html)

#### Permitting

The NC Department of Environmental Quality (DEQ) is committed to providing efficient permit processing for your S.L. 2023-134 project(s). To better serve you, we would appreciate your assistance in telling us the type of DEQ permit(s) you will need and the timeframe of permit application(s) submittal. Please complete the online form at the following link:  
<https://app.smartsheet.com/b/form/bb0d7d19b4024a548b8d1c97cdad0cd8>.

When applying for a permit(s), attach a copy of this letter to your permit application(s) and denote your DWI assigned project number on the permit application if asked. If you do not know the type of permit(s) your project may require, we offer a free permit assistance service to address any questions you may have about potential permitting requirements, pitfalls, fees, and timelines. If interested, please complete our online form at <https://deq.nc.gov/permits-rules/permit-assistance-and-guidance/permit-assistance-request-form>.

Scott Hildebran, City Manager  
City of Lenoir  
September 2, 2024  
Page 3 of 3

Disbursement of Funds:

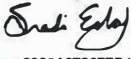
These funds will be disbursed to the local government unit after relevant costs are incurred by the local government and invoices are submitted to the Division. Up to 15% of the funds available for the project may be disbursed after costs are incurred during the pre-construction stage to cover design and planning costs. The remainder will be disbursed as invoices for incurred pre-construction and construction costs are submitted by the local government during construction, which may be submitted prior to or after paying the contractors for the incurred costs. Only costs eligible under NC G.S. 159G may be covered by these funds. Projects must be administered in accordance with all applicable federal law and guidance, as well as North Carolina statutes.

Electronic Document Submittal:

Recipients should submit all project documents via the supporting documentation submittal form located at <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. The use of this form provides more seamless document tracking, processing, filing, accessibility, and security via our electronic document repository, Laserfiche. The link and a list of frequently asked questions can also be accessed from the Division's I Have Funding page, <https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding>.

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding. If you have any questions concerning this matter or require general assistance, please contact the Division's project manager assigned to your project: Jason Fulton either by telephone at 828.296.4682 or by e-mail at [jason.fulton@deq.nc.gov](mailto:jason.fulton@deq.nc.gov).

Sincerely,

DocuSigned by:  
  
6300A872077B4C5  
Shadi Eskaf, Director  
Division of Water Infrastructure

cc: Scott Hildebran, City Manager, City of Lenoir ([shildebran@ci.lenoir.nc.us](mailto:shildebran@ci.lenoir.nc.us))  
Jeff Church, City of Lenoir ([jeff.church@ci.lenoir.nc.us](mailto:jeff.church@ci.lenoir.nc.us))  
Joel Whitford, McGill Associates, P.A. ([joel.whitford@mcgillassociates.com](mailto:joel.whitford@mcgillassociates.com))  
Dustin Rhodes, P.E. (DWI, via DocuSign)  
Jason Fulton (DWI, via DocuSign)  
Mark Hubbard, P.E. (DWI, via DocuSign)  
Administrative Unit (DWI, via DocuSign)  
LF Project File (COM – LOIF)  
DWI Agreement ID: 2000077801

ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

SHADI ESKAF  
*Director*



September 2, 2024

Scott Hildebran, City Manager  
City of Lenoir  
PO Box 958  
Lenoir, NC 28645

SUBJECT: Funding Offer  
Project No. SRP-D-134-0165  
Lenoir-Valdese Interconnect Project

Dear Mr. Hildebran:

The City of Lenoir 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.DWI.FundingOffer@deq.nc.gov](mailto:DEQ.DWI.FundingOffer@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 the other 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. (Sample copy attached)
3. Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)
4. Sales-Tax Certification (attached)

The Site Certification and a Capital Project Ordinance (or budget ordinance covering the project) are due before disbursements begin.

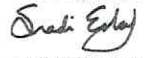
Disbursement requests are to be submitted via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.



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

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 David Smith at david.smith@deq.nc.gov or (919) 707-3885.

Sincerely,

DocuSigned by:  
  
6300A872077B4C5  
Shadi Eskaf, Director  
Division of Water Infrastructure, NCDEQ

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  
Guidance Document (North Carolina Wastewater Funding Programs Overview)  
Site Certification  
Capital Project Ordinance (Sample)

cc: Scott Hildebran, City Manager, City of Lenoir ([shildebran@ci.lenoir.nc.us](mailto:shildebran@ci.lenoir.nc.us))  
Jeff Church, City of Lenoir ([jeff.church@ci.lenoir.nc.us](mailto:jeff.church@ci.lenoir.nc.us))  
Joel Whitford, McGill Associates, P.A. ([joel.whitford@mcgillassociates.com](mailto:joel.whitford@mcgillassociates.com))  
Mark Hubbard (Via DocuSign)  
David Smith (Via DocuSign)  
DWI Administrative Unit (Via DocuSign)  
Carrie Shortt (Via DocuSign)  
Teresa Tripp (Via DocuSign)  
[DEQ.DWI.FundingOffer@deq.nc.gov](mailto:DEQ.DWI.FundingOffer@deq.nc.gov)  
FILE: SRP-134 Project File (COM\_LOX)  
Agreement ID#: 2000077801



**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 Lenoir  
PO Box 958  
Lenoir, NC 28645

**Project Number(s):** SRP-D-134-0165

**Assistance Listing Number:** N/A

**Unique Entity ID Number:** L8WTLRPYDDE3

**Funding Program**

| Drinking Water                                       | <input checked="" type="checkbox"/> | Additional Amount for | Previous Total | Total Offered |
|------------------------------------------------------|-------------------------------------|-----------------------|----------------|---------------|
| Stormwater                                           | <input type="checkbox"/>            | Funding Increases     |                |               |
| Wastewater                                           | <input type="checkbox"/>            |                       |                |               |
| State Revolving Fund-Repayable Loan                  | <input type="checkbox"/>            |                       |                |               |
| State Revolving Fund-Principal Forgiveness           | <input type="checkbox"/>            |                       |                |               |
| State Reserve Loan                                   | <input type="checkbox"/>            |                       |                |               |
| State Reserve Grant                                  | <input type="checkbox"/>            |                       |                |               |
| State Reserve Earmark (S.L. 2023-134)*               | <input checked="" type="checkbox"/> |                       |                | \$16,745,000  |
| American Rescue Plan Act - <del>Choose an item</del> | <input type="checkbox"/>            |                       |                |               |

**Project Description:**

Lenoir-Valdese Interconnect Project

**Total Financial Assistance Offer:**

**\$16,745,000**

**Total Project Cost:**

\$17,000,000

**Estimated Closing Fee\*\*:**

\$ 0

For Loans

**Interest Rate:**

-- Per Annum

**Maximum Loan Term:**

-- 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:

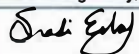
- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

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:



-----6300A872077B4C5...  
Signature

9/26/2024

-----  
Date

On Behalf of:

City of Lenoir

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

**STANDARD CONDITIONS & ASSURANCES FOR STATE RESERVE PROJECTS****Project Subrecipient: City of Lenoir****Project Number(s): SRP-D-134-0165**

1. The Subrecipient intends to construct the project or cause it to be constructed to final completion in accordance with the Application or Request for Funding approved for financial assistance by the Division.
2. If the project is co-funded with federal funding sources (e.g., State Revolving Funds, CDBG-Infrastructure, American Rescue Plan Act), the conditions and assurances of the federal funding program will also apply.
3. The Subrecipient acknowledges that in the event a milestone contained in the most recent Letter of Intent to Fund is missed, the Department of Environmental Quality may rescind this Funding Offer.
4. The Subrecipient is responsible for paying for the costs ineligible for DWI funding.
5. All projects must comply with North Carolina General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying Services. Any services provided that were not selected in compliance with state requirements will be ineligible for disbursement.
6. 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.
7. As of the acceptance of this Funding Award Offer, steps identified in the SRP Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRP Guidance, and the Subrecipient hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRP Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.
8. The Subrecipient will provide and maintain adequate engineering supervision and inspection.
9. The Subrecipient 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.
10. All SRP funds must 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 or grant will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the Subrecipient's compliance with the Standard Conditions of this Award. The Subrecipient agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
11. The Subrecipient 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 Subrecipient is expected to uphold its contract obligations regarding timely payment.
12. The Subrecipient, if a local government unit or public authority, must comply with the requirements of NC GS 159-34 in having its accounts audited each fiscal year and to submit a copy of the audit report to the Secretary of the Local Government Commission by the established deadlines. Failure to comply with these requirements may result in delays in disbursement of the funds to the Subrecipient and/or the rescission of this Funding Offer.
13. The Subrecipient acknowledges that any loan funds contained in this Funding Offer requires approval from the North Carolina Local Government Commission before they can be disbursed.
14. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).

# CITY OF LENOIR

## LISTING OF CITY COUNCIL MEETINGS FOR 2025

### JANUARY

|                               |                            |                  |
|-------------------------------|----------------------------|------------------|
| City Council                  | Tuesday, January 7         | 6:00 p.m.        |
| City Council                  | Tuesday, January 21        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, January 28</b> | <b>8:30 a.m.</b> |

### FEBRUARY

|                               |                             |                  |
|-------------------------------|-----------------------------|------------------|
| City Council                  | Tuesday, February 4         | 6:00 p.m.        |
| City Council                  | Tuesday, February 18        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, February 25</b> | <b>8:30 a.m.</b> |

### MARCH

|                               |                          |                  |
|-------------------------------|--------------------------|------------------|
| City Council                  | Tuesday, March 4         | 6:00 p.m.        |
| City Council                  | Tuesday, March 18        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, March 25</b> | <b>8:30 a.m.</b> |

### APRIL

|                               |                          |                  |
|-------------------------------|--------------------------|------------------|
| City Council                  | Tuesday, April 1         | 6:00 p.m.        |
| City Council                  | Tuesday, April 15        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, April 22</b> | <b>8:30 a.m.</b> |

### MAY

|                               |                        |                  |
|-------------------------------|------------------------|------------------|
| City Council                  | Tuesday, May 6         | 6:00 p.m.        |
| City Council                  | Tuesday, May 20        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, May 27</b> | <b>8:30 a.m.</b> |

### JUNE

|                               |                         |                  |
|-------------------------------|-------------------------|------------------|
| City Council                  | Tuesday, June 3         | 6:00 p.m.        |
| City Council                  | Tuesday, June 17        | 6:00 p.m.        |
| <b>Committee of the Whole</b> | <b>Tuesday, June 24</b> | <b>8:30 a.m.</b> |

**JULY**

|              |                  |           |
|--------------|------------------|-----------|
| City Council | Tuesday, July 15 | 6:00 p.m. |
|--------------|------------------|-----------|

**\*Only one meeting in July.**

**AUGUST**

|              |                   |           |
|--------------|-------------------|-----------|
| City Council | Tuesday, August 5 | 6:00 p.m. |
|--------------|-------------------|-----------|

|              |                    |           |
|--------------|--------------------|-----------|
| City Council | Tuesday, August 19 | 6:00 p.m. |
|--------------|--------------------|-----------|

|                               |                           |                  |
|-------------------------------|---------------------------|------------------|
| <b>Committee of the Whole</b> | <b>Tuesday, August 26</b> | <b>8:30 a.m.</b> |
|-------------------------------|---------------------------|------------------|

**SEPTEMBER**

|              |                      |           |
|--------------|----------------------|-----------|
| City Council | Tuesday, September 2 | 6:00 p.m. |
|--------------|----------------------|-----------|

|              |                       |           |
|--------------|-----------------------|-----------|
| City Council | Tuesday, September 16 | 6:00 p.m. |
|--------------|-----------------------|-----------|

|                               |                              |                  |
|-------------------------------|------------------------------|------------------|
| <b>Committee of the Whole</b> | <b>Tuesday, September 23</b> | <b>8:30 a.m.</b> |
|-------------------------------|------------------------------|------------------|

**OCTOBER**

|              |                    |           |
|--------------|--------------------|-----------|
| City Council | Tuesday, October 7 | 6:00 p.m. |
|--------------|--------------------|-----------|

|              |                     |           |
|--------------|---------------------|-----------|
| City Council | Tuesday, October 21 | 6:00 p.m. |
|--------------|---------------------|-----------|

|                               |                            |                  |
|-------------------------------|----------------------------|------------------|
| <b>Committee of the Whole</b> | <b>Tuesday, October 28</b> | <b>8:30 a.m.</b> |
|-------------------------------|----------------------------|------------------|

**NOVEMBER**

|              |                     |           |
|--------------|---------------------|-----------|
| City Council | Tuesday, November 4 | 6:00 p.m. |
|--------------|---------------------|-----------|

**\*Only one meeting in November**

**DECEMBER**

|              |                     |           |
|--------------|---------------------|-----------|
| City Council | Tuesday, December 2 | 6:00 p.m. |
|--------------|---------------------|-----------|

|              |                      |           |
|--------------|----------------------|-----------|
| City Council | Tuesday, December 16 | 6:00 p.m. |
|--------------|----------------------|-----------|

**2025 SCHEDULE OF EVENTS****NCLM MEETINGS****Event**

TBA

Town &amp; State Dinner

April 29- May 1

Annual City Vision Conference  
(Greenville, North Carolina)**NLC MEETINGS****Event**

March 10 - 12

Congressional City Conference  
(Washington, DC)

November 19 - 22

City Summit  
Salt Lake City, Utah

# **CITY OF LENOIR**

## **2025 HOLIDAY SCHEDULE**

|                                                      |                             |
|------------------------------------------------------|-----------------------------|
| Wednesday, January 1                                 | New Year's Day              |
| Monday, January 20                                   | Martin Luther King, Jr. Day |
| Friday, April 18                                     | Good Friday                 |
| Monday, May 26                                       | Memorial Day                |
| Friday, July 4                                       | Independence Day            |
| Monday, September 1                                  | Labor Day                   |
| Tuesday, November 11                                 | Veterans Day                |
| Thursday, November 27                                | Thanksgiving Holiday        |
| Friday, November 28                                  |                             |
| Wednesday, Thursday, Friday<br>December 24, 25, & 26 | Christmas Holiday           |