



AGENDA
City of Lenoir
City Council Meeting
905 West Ave. NW, Lenoir, NC 28645
Tuesday, October 21, 2025 | 6:00 pm



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 the meeting of Tuesday, October 7, 2025 as submitted.
- B. Contract Amendment NO. 1: Lenoir Fire Department Infrastructure Repair (Stormwater). The City of Lenoir approved a contract on July 19, 2023 with W.K. Dickson & Co., LLC d/b/a Ardurra Group for a project on a collapsed storm pipe located at 602 Harper Ave NW. This amendment will extend the time of services (contract) to August 31, 2026 with no additional fees. Staff recommends approval of the Contract For Services Amendment NO. 1, as submitted.
- C. Authorizing Resolution: NC Commerce Small Business Infrastructure Grant Program: A local developer needs to relocate a stream at their historic building, which will require the City to make infrastructure changes. Staff recommends approval of the resolution authorizing the City Manager to execute and file a grant application for approximately \$500,000 for the proposed Steele Cotton Mill Stormwater Project, as submitted.
- D. Land & Easement Acquisition for Stormwater Improvements, The Campus: Authorize the City Attorney and City Manager to proceed with executing the necessary documents to acquire:
- #1 – 0.24 acres of the 0.414316-acre lot (NCPIN 2749665644, Parcel ID 06-13-1-3) located on West Avenue from Larkin Cowles Bentley Revocable Trust as shown on the enclosed plat, and
- #2 – a 30' temporary construction drainage easement and a 15" permanent drainage easement (NCPIN 2749668509, Parcel ID 06-13-1-14 and NCPIN 2749668671, Parcel ID 06-13-1-13) located on Harper Avenue from Luis Alberto Hernandez as shown on the enclosed plat for \$1.00.

IV. REPORTS OF BOARDS AND COMMISSIONS

V. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

- A. Items of Information
1. The Foothills Regional Airport Authority will meet on Wednesday, October 22 at noon.
 2. The Committee of the Whole will meet on Tuesday, October 28 at 8:30 a.m. at City Hall, Third Floor.

3. The Downtown Spooktacular event will held on Friday, October 31 from 4:00-6:00 p.m. in Downtown Lenoir.
4. The Trunk or Treat event will be held at the Martin Luther King Jr. Center on October 30 from 5:00-7:00 p.m.
5. Early voting will continue to be held at the Caldwell Resource Center (former Library) each weekday from 8:00 a.m. to 5:00 p.m. through October 31, and Saturday, November 1, 8:00 a.m. to 3:00 p.m. Election Day is Tuesday, November 4.

B. Items for Council Action

1. Minimum Housing Order; 311 Sharon Ave NW: Staff recommends approval of an Order of Abatement directing Staff to proceed with the demolition and removal of the structure located at 311 Sharon Ave NW, Parcel-ID 09 49 3 4 and NCPIN #2759192535, as submitted.
2. Minimum Housing Order; 118 Plymouth Road SE: Staff recommends approval of an Order of Abatement directing Staff to proceed with the demolition and removal of the structure located at 118 Plymouth Road SE, Parcel-ID 09133 1 15 and NCPIN #2758934516, as submitted.

VI. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VII. REPORT AND RECOMMENDATIONS OF THE MAYOR

VIII. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBER

IX. ADJOURNMENT

**LENOIR CITY COUNCIL
MEETING MINUTES
TUESDAY, OCTOBER 7, 2025
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Mayor Pro-Tem David Stevens, Councilmembers present were Jonathan Beal, Ike Perkins, Kimmie Rogers, Crissy Thomas, City Manager Scott Hildebran, City Clerk Lauren Hartley and City Attorney Timothy Rohr.

CITY STAFF: In attendance was Finance Director Donna Bean, Public Services Public Utilities Director Jeff Church, Parks & Recreation Director Phil Harper, Public Services Public Works Director Jon Hogan, Public Information/Communication Director Joshua Harris, Community Engagement Coordinator Ashley Smith, Fire Chief Norman Staines, Police Chief Andy Wilson, Planning Director Hannah Williams, Special Projects Coordinator Radford Thomas.

ABSENT: Councilmember Todd Perdue, Councilmember Ralph Prestwood, Interim Director of Special Projects and Grants David Coffey, Economic Development Main Street Director Brenda Floyd.

I. CALL TO ORDER

- A. Mayor Gibbons announced recent deaths in the community and asked everyone to keep their families in your thoughts and prayers.
- Norman Shronce-former Caldwell County Manager
 - Sarah Sponenberg-retired educator and wife to James Sponenberg
 - Leatrice Pearson-retired educator and the first African American high school English teacher in Caldwell County
 - Merlin Perry-served as Caldwell County Assistant Manager and Manager, and the Lenoir City Council
 - John Beall-served as Caldwell County Commissioner, appointed to the Department of Transportation and was Chairman of the Board of Fairfield Chair Company

Mayor Gibbons asked to keep Sam Sturgis in your thoughts and prayers as he heals at the Shaire Center rehabilitation facility.

Mayor Gibbons announced the celebration of our Police Chaplin Rev. Terry Hunt on his 65th birthday and the 40th pastoral anniversary year. He has served as our Police Chaplin since 2006 and does a wonderful job.

- B. The meeting was opened by a moment of silence and the pledge of allegiance as led by Mayor Gibbons.

- C. Mayor Gibbons presented a proclamation proclaiming October 11 as National Daughters of the America Revolution (DAR) Day of Service to Cindy Day, Executive Director of the Caldwell Heritage Museum and Tucker's Barn Chapter DAR.

Cindy Day stated we are about to celebrate the 250th anniversary of our country, we need to recognize our ancestors who were the first veterans and for future generations. She thanked Mayor Gibbons and City Council for all they do.

II. MATTERS SCHEDULED FOR PUBLIC HEARING:

- A. A public hearing was held to consider a Zoning Ordinance Amendment, ZOA 1-25 permitting mid/high density in the B-7 Highway Business zoning district by listing it on the permitted use chart. Staff recommends adoption of the zoning ordinance amendment based on the following consistency statement:

The proposed zoning ordinance amendment is consistent with the Lenoir Comprehensive Plan because it results in sensible and straightforward zoning standards that are easy to understand. This text amendment aligns the permitted use chart with the zoning district regulations chart with regards to the B-7 zoning district, and increases residential opportunity. The proposed amendment is reasonable and in the public interest because it allows for increasing residential density along highway corridors in Lenoir.

Planning Director Hannah Williams stated this is a small change to the B-7 Highway Business zoning district and was initiated by City Planning staff due to an inconsistency found on the permitted use chart and the density chart for multi-family. This ordinance clarifies that high-density multi-family is allowed by aligning it on the permitted use chart. This came before Planning Board at their August meeting and is recommended for approval

Mayor Gibbons opened the public hearing to receive public comments regarding the request. There being none, Mayor Gibbons closed the public hearing.

Upon a motion by Councilmember Rogers, City Council voted 5 to 0 to approve the Zoning Ordinance Amendment ZOA 1-25 as presented.

III. CONSENT AGENDA ITEMS:

- A. Minutes: Approval of the City Council minutes of the meeting of Tuesday, September 16, 2025, as submitted
B. Minutes: Approval of the Committee of the Whole minutes of the meeting of Tuesday, September 23, 2025, as submitted
C. 2026 City Council Meeting Schedule: Approval of the 2026 City Council Meeting schedule as submitted
D. Proclamation: Approval of a proclamation proclaiming October 11, 2025, as National DAR Day of Service

Upon a motion by Councilmember Thomas, City Council voted 5 to 0 to adopt the above listed items (A through D) on the Consent Agenda as listed and recommended.

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. National Night Out will be held Tuesday, October 7, from 6:00-9:00 p.m.
2. The Lenoir Tourism Development Authority Board will meet on Thursday, October 9, at 2:00 p.m. at City Hall, Third Floor.
3. The Lenoir Business Advisory Board will meet on Thursday, October 30, from 5:00-7:00 p.m. at City Hall, Third Floor. This will be a training/information session.
4. The City/County Services Committee will meet on Monday, October 13, at noon at the J.E. Broyhill Civic Center.
5. The Economic Development Advisory Committee will meet on Tuesday, October 14, at 8:15 a.m. at the J.E. Broyhill Civic Center.
6. The ABC Board will meet on Thursday, October 16, at 2:00 p.m.
7. Early voting will be held at the Caldwell Resource Center (former Library) beginning on Thursday, October 16, and continuing on Friday, October 17, Monday, October 20 - Friday, October 24, Monday, October 27 - Friday, October 31, each weekday from 8:00 a.m. to 5:00 p.m., and Saturday, November 1, 8:00 a.m. to 3:00 p.m. Election Day is Tuesday, November 4.
8. The Parks and Recreation Board will meet on Monday, October 20, at 6:00 p.m. at the Mulberry Recreation Center.

A. Items for Council Action

1. Special Project Coordinator Radford Thomas reported on the Brownfield Cleanup Alternatives Analysis for 1429 College Ave. He stated the request is for approval to submit the Brownfield Cleanup Alternatives Analysis and Authorize the submission of an Environmental Protection Agency (EPA) Brownfield Cleanup Grant Application to assist with the final cleanup. Mid Atlantic Associates, LLC has provided the Cleanup Alternative Analysis.

He also stated funds are still available for the Brownfield Assessment Grant for any property that would qualify for a phase one assessment.

Greg Icenhour with Mid Atlantic Associates, LLC, stated the focus of the EPA Brownfield Cleanup Grant is for the purpose of redevelopment of the former Broyhill Furniture Facility. A Brownfield agreement is in the works with the Department of Environmental Quality and some of the debris has been removed, which was left by the previous tenant. There will be some cost involved with the physical removal of the solid waste, so it would be appropriate for the City to apply for the EPA Cleanup Grant. A part of that would require the City to do an Assessment of Brownfield of Cleanup Alternatives. The assessment along with the provided Analysis of Brownfields Cleanup Alternatives would be advertised and publicly available.

Upon a motion by Mayor Pro-Tem Stevens, City Council voted 5 to 0 to accept the Brownfield Cleanup Alternatives Analysis and Authorize the submission of an Environmental Protection Agency (EPA) Brownfield Cleanup Grant as presented.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:26 p.m.

Lauren Hartley, City Clerk

Joseph L. Gibbons, Mayor



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. S. PRESTWOOD
K. R. ROGERS
D. F. STEVENS
C. D. THOMAS

**PROCLAMATION
NATIONAL DAR DAY OF SERVICE**

WHEREAS, October 11, 2025, marks the 135th anniversary of the founding of the National Society Daughters of the American Revolution to honor the memory and the spirit of the men and women who achieved American independence; and

WHEREAS, nearly 1.75 million members have since fulfilled this vibrant service organization's mission to promote historic preservation, education and patriotism; and

WHEREAS, DAR members have recorded in excess of 38 million volunteer service hours since the NSDAR implemented its online Service To America Program in 2013; and

WHEREAS, the Tucker's Barn Chapter of the DAR was founded in Lenoir, North Carolina, in September 2019 to complete this important service work on the local level; and

WHEREAS, it is fitting and proper to accord official recognition to this vital organization and its memorable anniversary for their goodwill and dedication in serving Lenoir, and other communities within Caldwell County.

NOW, THEREFORE, I, Joseph Gibbons as Mayor of Lenoir, North Carolina, do hereby declare October 11, 2025, as **NATIONAL DAR DAY OF SERVICE** in the City of Lenoir, North Carolina,

AND ask our citizens to reaffirm the ideals of our nation's founders and to honor and respect the freedoms guaranteed to us through the Declaration of Independence and the United States Constitution.

This the 7th Day of October 2025.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:

SEAL

Lauren Hartley, City Clerk



AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, AMENDING APPENDIX A OF THE CITY OF LENOIR CODE OF ORDINANCES RELATED TO PERMITTED MULTI-FAMILY USES IN B-7 HIGHWAY BUSINESS DISTRICT PROVIDING FOR CODIFICATION, AND AN EFFECTIVE DATE.

Whereas, the B-7 Highway Business district is intended to provide areas along major thoroughfares for development at similar intensities as the General Business district; and

Whereas, the Lenoir Zoning Ordinance permits and restricts multifamily dwellings at low, medium, and high densities in appropriate zoning districts; and

Whereas, the Lenoir Planning Board and City Council find that this ordinance is consistent with the City's Comprehensive Plan, which calls for the review of existing development ordinances and increase of residential opportunity;

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. Appendix A, Article VI of the Code of Ordinances, City of Lenoir, North Carolina, "Permitted Use Chart" is hereby amended to read as follows:

SECTION 600, TABLE B: Chart of Permitted and Special NON-RESIDENTIAL Uses

SECTION 600, TABLE A: Chart of Permitted and Conditional RESIDENTIAL Uses																
P=Permitted Use • P5=Permitted w/ Separation Requirements • C=Conditional Use • Blank = Prohibited																
	Residential							Mixed Use/Commercial							Industrial	
	R-R (Rural Residential)	R-20 (Low Density Single Family)	R-15 (Single Family)	R-12 (Single Family)	R-9 (mixed density residential)	R-6 (high density residential)	R-C (residential-commercial)	O&I (Office and Institutional)	B-1 (Neighborhood Business)	B-2 (General Business)	B-3 (Central Business District)	B-5 (Neighborhood Mixed Use)	B-6 (Transitional Business)	B-7 (Highway Business)	I-1 (Light Industrial)	I-2 (Heavy Industrial)
RESIDENTIAL, GENERAL (1)																
Accessory Apt/Accessory Cottage (2)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Attached Dwellings (townhomes)				S	P	P	P	P	S	P	P	P	P			
Bed & Breakfast	S	S	S	S	S	S	S	P	P	P	P	P	S	P		
Bungalow Court					P	P	P					P				
Dwelling, single family detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Dwelling, 2 Family (Duplex)	P			S	P	P	P	P	P	P	P	P	S	P		
Manufactured Homes	P (3)				P (3)	P (3)										
Manufactured Home Parks (existing)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)				S (4)						
Multi-Family, low-density (Garden Apartments)				S(5)	P (5)	P (5)	P(5)	P(5)	P(5)	P(5)	P(5)		P(5)	P(5)		
Multi-Family, medium/high density					S	S	P	S		P	P	S	S	<u>P</u>		
Planned Residential Development				S	S	S	P	S	S	S	S					
Zero-Lot Line (1-Family)					P	P	P					P				
RESIDENTIAL, CONGREGATE																
Group Housing (No care provided)																
1-6 non-related residents	<u>S</u>			S	S	S	P	P	S	P	P					
7+ non-related residents							S	P		S			S	S		
Family/Group Care Facilities																
1-6 non-related residents (family)	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
7+ non-related residents (group)	S			S	S	S	S	P		P				P	P	
Rehabilitation Centers/In-Patient Mental Health Facilities								P		P				P	P	P

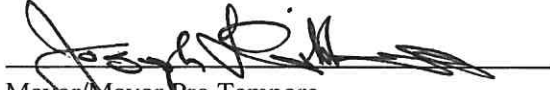
SECTION 2. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 3. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 25 day of ~~Sept.~~ and this 2nd day of ~~October~~, 2025.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 7th day of OCTOBER, 2025.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:



Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:



City Clerk

****[Remainder of page intentionally left blank.]****

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1951

SEAL

CITY OF LENOIR COUNCIL ACTION FORM

- I. Agenda Item:** Approval to submit the Analysis of Brownfield Cleanup Alternatives for the 1429 College Avenue Property and Authorize the submission of an Environmental Protection Agency (EPA) Brownfield Cleanup Grant Application to assist with the final cleanup of the Subject Property, as recommended by Mid Atlantic Associates, LLC.
- II. Background Information:** Mid-Atlantic Associates, Inc. prepared an *Analysis of Brownfields Cleanup Alternatives* for the Former Broyhill Furniture Facility located at 1429 College Avenue in Lenoir. The Subject Property consists of a 14.79-acre parcel of land (Parcel ID # 2749445311) located in a mixed industrial, recreational, and residential area of Lenoir. From the early 1900s until its closure in 2007, the property served as a location for a furniture manufacturing facility. In 2009, the property was sold to Applied Abatement Concepts, which demolished the existing structures to sell for scrap, then turning the property into a recycling center. Applied Abatement Concepts also began importing wood and other materials from off-site sources, which was ground for recycling purposes. Subsequently, Applied Abatement Concepts ceased operations due to the owner's declining health. The property was abandoned, leaving in place a large volume of wood, brick, metal, and miscellaneous construction debris.

In 2013, the City of Lenoir, working with Caldwell EDC and upon receiving a finalized Brownfield Agreement, acquired the property due to delinquent taxes by the previous owners for the purpose of redevelopment. In 2020, the City contracted with Mid-Atlantic to conduct a National Emissions Standards for Hazardous Air Pollutants (NESHAP) asbestos survey of former construction and demolition debris located at the property. Over the past several years, Mid-Atlantic has conducted additional testing (soil, water, air), and over 7,000 tons of asbestos containing debris by RCI Demolition has been removed from the property. It is estimated that approximately 4,000 cubic yards of material remain on portions of the property.

In order to obtain EPA Brownfield Cleanup grant funds and move forward with potential redevelopment, Mid-Atlantic conducted an Analysis of Brownfields Cleanup Alternatives (ABCA) for the property. Three (3) remedial alternatives were considered based on effectiveness, long-term reliability, implementability, and general cost implications.

Alternative 1: No Action

Alternative 1 is also known as the "No Action" alternative and is included as a baseline comparison to other remedial alternatives. The "No Action" alternative assumes remedial activities are not conducted. {\$0}

Alternative 2: Off-Site Disposal

Alternative 2 would involve the off-site disposal of all existing debris piles that remain from historical furniture manufacturing and recycling operations. Any surface soils that are impacted above applicable NCDEQ standards, based on ultimate use, could also be properly disposed if required. {\$100,000-\$200,000}

Alternative 3: Capping

Alternative 3 would involve the grading of existing debris piles and contaminated surface soils by capping the areas with a minimum of 2 feet of clean fill and/or impervious cover per NCBRS guidance. The capping would be handled in accordance with a NCBRS-approved EMP and submitted at a later date. {\$50,000-\$100,000}

Recommended Cleanup Alternative

The primary objective of the cleanup alternatives is to reduce or prevent potential risk to human health and/or the environment from site contaminants by properly addressing the debris piles and contaminated soil from historical furniture manufacturing and recycling operations. Alternative 1 does not meet this objective. Alternatives 2 and 3 meet this objective. Alternative 3 meets the objective more quickly and less expensively than Alternative 2. Additionally, regardless of the capping alternative, the redevelopment of the Subject Property will likely include the need for clean fill to bring the site to grade. As such, Alternative 3 is the recommended cleanup alternative.

- III. Staff Recommendation:** Staff recommends City Council approval to submit the Analysis of Brownfield Cleanup Alternatives for the Subject Property and the submission of an EPA Brownfield Cleanup Grant Application to assist with the final cleanup of the Subject Property.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Special Projects: Radford Thomas

Public Works/Public Utilities Director: _____

**Analysis of Brownfields Cleanup Alternatives (ABCA)
Former Broyhill Furniture Facility
1439 College Avenue SW
Lenoir, Caldwell County, North Carolina
City of Lenoir
EPA Cooperative Agreement.: BF-4B-02D31422-0
NCDEQ Brownfields Project No.: 09013-05-060**

Mid-Atlantic Project No. H1622.00
September 16, 2025

Prepared For:

City of Lenoir
801 West Avenue NW
Lenoir, North Carolina 28645

Prepared By:

Mid-Atlantic Associates, Inc.

A handwritten signature in black ink, appearing to read "Shane Sisco".

Shane Sisco, P.G.
Principal Hydrogeologist

A handwritten signature in black ink, appearing to read "Greg D. Icenhour".

Greg D. Icenhour, P.G.
Principal Geologist

Table of Contents

A-3. Distribution List.....	0
1.0 Introduction	1
1.1 <u>Site Description</u>	1
1.2 <u>Regional Geology and Hydrogeology</u>	1
1.3 <u>Climate Conditions</u>	2
1.4 <u>Site History</u>	2
1.5 <u>Current Site Conditions</u>	3
1.6 <u>Previous Assessment Activities</u>	3
1.7 <u>Project Goal</u>	5
2.0 Applicable Regulations and Cleanup Standards	6
2.1 <u>Cleanup-Oversight Responsibility</u>	6
2.2 <u>Cleanup Standards for Major Contaminants</u>	6
2.3 <u>Laws and Regulations Applicable to the Cleanup</u>	6
2.4 <u>Climate Change Considerations</u>	7
3.0 Analysis of Brownfields Cleanup Alternatives.....	7
3.1 <u>Alternative 1: No Action</u>	7
3.2 <u>Alternative 2: Off-Site Disposal</u>	7
3.3 <u>Alternative 3: Capping</u>	7
3.4 <u>Recommended Cleanup Alternative</u>	8

Drawings

Drawing 1	Topographic Site Map
Drawing 2	Site Overview Map

Tables

Table 1	Brownfield Cleanup Alternatives Evaluation
Table 2	Estimated Comparative Costs for Cleanup Alternatives

A-3. Distribution List

The following personnel will receive and follow applicable sections of the *Analysis of Brownfields Cleanup Alternatives* and subsequent revisions:

Agency	Number of Copies
Peppa Sassin, Brownfields Project Manager United States Environmental Protection Agency (EPA) Region 4, Atlanta Federal Building Waste Management Division 61 Forsyth Street SW Atlanta, GA 30303 Phone: (410) 305-3021 Email: sassin.pepa@epa.gov	1
Pepa Sassin, EPA Designated Approving Official (DAO) United States Environmental Protection Agency (EPA) Region 4, Atlanta Federal Building Waste Management Division 61 Forsyth Street SW Atlanta, GA 30303 Phone: (410) 305-3021 Email: sassin.pepa@epa.gov	1
Jordan Thompson, Project Manger NDCEQ 610 East Center Avenue, Suite 301 Mooresville, North Carolina 28115 Phone: (704) 223-6549 Email: jordan.thompson@deq.nc.gov	1
Radford Thomas, City Manager City of Lenoir 801 West Avenue NW Lenoir, North Carolina 28645 Phone: 828-757-2199 Email: radford.thomas@cityoflenoir.com	1
Greg Icenhour, Project Manager Mid-Atlantic Associates, Inc. 1125 East Morehead Street, Suite 104 Charlotte, NC 28204 Phone: (980) 585-1271 Email: gicenhour@maaonline.com	1
Shane Sisco, QA/QC Officer Mid-Atlantic Associates, Inc. 1125 East Morehead Street, Suite 104 Charlotte, NC 28204 Phone: (980) 585-1271 Email: ssisco@maaonline.com	1

1.0 Introduction

1.1 Site Description

On behalf of the City of Lenoir, Mid-Atlantic Associates, Inc. (Mid-Atlantic) has prepared this *Analysis of Brownfields Cleanup Alternatives* for the Former Broyhill Furniture Facility located at 1429 College Avenue in Lenoir, Caldwell County, North Carolina (the "Subject Property"). The Subject Property consists of an approximately 14.79-acre parcel of land (Parcel ID # 2749445311) located in a mixed industrial, recreational, and residential area of Lenoir. A topographic site location map is included as **Drawing 1**.

The Subject Property has historically operated as the Broyhill Furniture Company, a furniture manufacturing facility, from the early 1900s until its closure in 2007. Following closure of the manufacturing mill, the property was sold to Applied Abatement Concepts in 2009, which demolished the existing structures to sell for scrap, then turning the Subject Property into a recycling center. Applied Abatement Concepts also began importing wood and other materials from off-site sources, which were ground for recycling purposes. Applied Abatement Concepts subsequently ceased operations due to the owner's declining health. The Subject Property was abandoned, leaving in place a large volume of wood, brick, metal, and miscellaneous construction debris.

1.2 Regional Geology and Hydrogeology

According to the Geologic Map of North Carolina (dated 1985), the Subject Property is located in the Chauga Belt of the Piedmont physiographic province. Bedrock beneath the Subject Property is defined as Paleozoic-aged migmatitic granitic gneiss. The shallow subsurface in most areas of the Piedmont contains residual soil overburden, including structure-free residuum, saprolite, and partially weathered rock (PWR) that derive from in-place weathering of the crystalline bedrock. Occasional areas containing recent deposits of alluvium in the uppermost subsurface are found near streams and rivers. Saprolite and PWR typically contain some relict structures from the original rock material. Depth to rock ranges from ground surface at occasional outcrops to depths of greater than 100 feet in areas of easily weathered rock.

The shallow aquifer occurrence varies in depth from ground surface at springs, creeks, and rivers to as deep as 50 feet or more beneath upland surfaces in some parts of the Piedmont. Water in the alluvium or unconsolidated residual material, including saprolite and PWR, usually behaves as an unconfined aquifer, or water table, and will yield water with head elevation equivalent to the first elevation where water was encountered. Permeability varies with lithology and is typically relatively low in residual soils, with higher permeability in saprolite or PWR due to relict rock texture and variable susceptibility to weathering exhibited by different minerals in the rock. Groundwater flow in residual soils or alluvium is usually in rough concurrence with local topographic conditions and is toward local drainage features. Based on the gauging of the monitoring well network, groundwater flow across the Subject Property is generally to the south-

southeast. Depth to groundwater in the overburden aquifer ranges from approximately 5 to 35 feet below ground surface (ft bgs).

The bedrock fractures or other planar features of the Piedmont physiographic province generally constitute the bedrock aquifer, with the surrounding rock material being effectively impermeable. Along with fractures, contacts between rock bodies probably constitute zones of significant groundwater occurrence in the bedrock. The surrounding material and overlying residuum tend to make the bedrock aquifer a semi-confined aquifer. That is, the overlying water and soil weight normally results in pressure that causes water in a borehole, which intersects a fracture or other feature, to rise above the elevation of the fracture or feature. Modern water supply wells in the Piedmont, likely including those in the vicinity of the Subject Property, are typically installed with a surface casing through the unconsolidated material, and an open borehole into the bedrock where water-bearing fractures are encountered.

1.3 Climate Conditions

According to the United States Global Change Research Program (USGCRP) the City of Lenoir experiences a humid subtropical climate. Due to its location in the foothills of the Blue Ridge Mountains within the Piedmont physiographic province, temperatures in Lenoir tend to be slightly cooler than areas further east. According to the Caldwell County Economic Development council, average annual precipitation is approximately 50 inches, with rainfall occurring year-round. Snowfall averages approximately 4 inches per year. Climate factors that are most applicable to the cleanup of the Subject Property include increased precipitation that may affect flood waters and stormwater runoff.

According to the Federal Emergency Management Agency (FEMA) Flood Zone Map 3710274900J dated July 7, 2009, the Subject Property is located within Zone C of Lower Creek, where minimal flooding is expected. The Subject Property currently receives stormwater discharge from College Avenue SW to the north and northeast of the property boundary. Stormwater runoff to the Subject Property will continue to be expected from impervious surfaces on upgradient properties. Based on the nature of the Subject Property and its proposed reuse, factors such as temperature fluctuations, rising sea levels, wildfires, changing dates of ground thaw/freezing, changing ecological zone, saltwater intrusion, and changing groundwater table are not likely to significantly impact the cleanup of the Subject Property.

1.4 Site History

On December 10, 2013, the Subject Property received eligibility into the North Carolina Department of Environmental Quality (NCDEQ; formerly NCDENR) Brownfields Redevelopment Section (NCBRS; formerly the Brownfields Program) via a Letter of Eligibility (LOE). The Prospective Developer (PD) for the Brownfields property is the City of Lenoir. The City of Lenoir intended to acquire the property due to delinquent taxes by the previous owners. The purchase

of the Brownfields property was conditional upon receiving a finalized Brownfield Agreement (BFA). Once a finalized BFA was in place for the Subject Property and assessment activities were completed to the satisfaction of NCDEQ, the City of Lenoir intended to promote the sale of the Brownfields property for redevelopment. The Subject Property is currently identified as the Former Broynhill Property through the NCBRS under NCDEQ Brownfields Project #17051-13-014.

1.5 Current Site Conditions

The Subject Property has been vacant since the early 2010s. Prior to assessment activities that were conducted in 2023, Mid-Atlantic requested that the City of Lenoir perform site-clearing activities for access for site assessment activities. This included clearing remaining non-asbestos containing building debris and overgrown vegetation. Since 2023, all structures on the Subject Property have been demolished and all pertinent storage structures and multiple debris piles have been removed. Multiple debris piles estimated at approximately 4,000 cubic yards of materials still remain on portions of the Subject Property.

1.6 Previous Assessment Activities

Tetra Tech – Phase I & II ESA

In September 2013, a *Phase I Environmental Site Assessment* (ESA) was completed by the City of Lenoir. The Phase I ESA identified multiple recognized environmental conditions (RECs) requiring additional investigation. The City of Lenoir requested assistance through the USEPA's Targeted Brownfields Assessment (TBA) Program for completion of a *Phase II ESA*, which was conducted by Tetra Tech in November 2013. This was done pursuant to the City of Lenoir's unsuccessful efforts in obtaining a USEPA Brownfields Cleanup Grant. The *Phase II ESA* consisted of the installation of soil borings, temporary groundwater monitoring wells, and collection of bulk samples of the on-site debris for asbestos analysis. Soil sampling results from the *Phase II ESA* indicated that several polycyclic aromatic hydrocarbons (PAHs) were detected above regulatory standards in samples collected from the northeastern manufacturing building (SB-01) and former fire suppression aboveground storage tank (SB-11). Additionally, arsenic was detected in soil above regulatory standards in samples collected from the former fire suppression AST (SB-11) and the former finishing/lacquer room (SB-04). Groundwater results indicated that concentrations of several metals including barium, chromium, and lead were detected above groundwater standards in wells installed within the former northeastern manufacturing building (BRH-GW-01) and the potential floor pit in the southeastern portion of the Subject Property (BRH-GW-08). The Subject Property was officially acquired by the City of Lenoir in January 2014. Following the acquisition by the City of Lenoir, the Subject Property has remained vacant, and no manufacturing and/or development work has been performed. As part of promotion of future redevelopment activities, the City Lenoir has undertaken extensive debris removal for both environmental assessment and redevelopment activities at the Subject Property.

Mid-Atlantic – NESHAP Asbestos Survey Report

In November 2020, Mid-Atlantic was contracted by the City of Lenoir to conduct a National Emissions Standards for Hazardous Air Pollutants (NESHAP) asbestos survey of former construction and demolition debris located at the Subject Property. Debris piles were surveyed for individual building components and suspect asbestos-containing materials (ACM) were visually classified and documented for laboratory analysis. Results of the asbestos survey indicated that asbestos in concentrations at 1% or greater were identified in forty (40) of the samples collected and thirty-eight (38) of the homogenous areas (HAs) from ten debris piles and one concrete slab analyzed during this survey. An additional one hundred and thirty-five (135) samples from the 38 HAs identified as ACMs were assumed to contain asbestos in concentrations greater than 1% by positive stop method. Asbestos in concentrations less than 1% were identified in nine (9) of the samples and two of the HAs from two debris piles analyzed during the survey. Materials found to contain or be associated with ACM include asphaltic roof shingles, built-up roofing, caulk, corrugated cementitious panels, expansion joint tar, felt paper, floor tile and mastic, roofing tar, waterproofing felt, and waterproofing tar. Additionally, blue/teal cove base was found to contain less than 1% asbestos. Findings and recommendations of the asbestos survey were documented in a *NESHAP Asbestos Survey Report* dated November 12, 2020.

Mid-Atlantic – Debris Removal Verification & Asbestos Air Monitoring Report

Based on the findings of the asbestos survey and status of materials staged on-site, Mid-Atlantic recommended that asbestos-containing construction and demolition debris piles be properly removed to facilitate additional subsurface investigation. Between January 20, 2021, and February 25, 2021, Mid-Atlantic oversaw the removal of approximately 7,041 tons of asbestos-containing debris by RCI Demolition (RCI) from the Subject Property. One-hundred and twelve (112) phase contrast microscopy (PCM) air sample cassettes, including field blanks and lab blanks were collected by Mid-Atlantic during the first phase of asbestos-containing debris removal activities. Background, initial, and periodic ambient air monitoring was conducted during asbestos-containing debris removal activities until the completion of the project. Asbestos fibers were not detected at levels above the North Carolina Asbestos Exposure Standard for Public Areas of 0.01 fibers per cubic centimeter (f/cc) during the background, initial, or periodic ambient air monitoring events at the Subject Property. A summary of the asbestos-containing removal activities was documented in a *Debris Removal Verification & Asbestos Air Monitoring Report* dated February 26, 2021.

Mid-Atlantic – Brownfields Soil Gas Assessment Report

Mid-Atlantic conducted soil vapor assessment activities at the Subject Property in September 2021 which included the sampling of eight soil gas implants to determine if potential vapor intrusion risks were present for future redevelopment. Laboratory analytical results indicated the compounds benzene, naphthalene, tetrachloroethylene (PCE), trichloroethylene (TCE), and total xylenes were detected above Residential Soil Gas Screening Levels (SGSLs) in soil gas samples collected from the former tannery, former AST, and former trench areas. NCDEQ Risk Calculator results indicated unacceptable risk levels under a future residential use scenario were present in

the former trench area. However, the cumulative risks under a non-residential scenario were below the acceptable NCDEQ and USEPA acceptable risk levels. Based on the results of the soil gas assessment, Mid-Atlantic recommended that future redevelopment in the southeastern portion of the Subject Property that may include the construction of residential dwellings implement an acceptable form of vapor mitigation. If Subject Property redevelopment includes residential construction and NCDEQ deems vapor mitigation necessary, a vapor mitigation plan would be prepared that would satisfy any requirements set forth by NCDEQ Brownfields. Results of the soil vapor sampling were documented in a *Brownfields Soil Gas Assessment Report* dated September 24, 2021.

Mid-Atlantic – Brownfields Assessment Report

NCDEQ prepared an *Additional Assessment* letter to the City of Lenoir that identified data gaps remaining for the Subject Property. Mid-Atlantic conducted additional Brownfields assessment activities in 2023 that included the collection of soil and groundwater samples and the preparation of a receptor survey to evaluate the data gaps. Receptor survey activities identified sensitive receptors that include a private water supply well, school, and community garden located within 1,500 feet of the Subject Property. With the exception of arsenic in the former floor pit area, laboratory analytical results indicate that no compounds were detected at concentrations exceeding Industrial/Commercial PSRGs in soil samples collected. Results of groundwater assessment activities indicated that methylene chloride, naphthalene, cobalt, and manganese were detected at concentrations exceeding the 2L Standards in groundwater samples collected at the Subject Property. VOC impacts above 2L Standards were isolated to a downgradient location from multiple former USTs basin in the central portion of the Subject Property. Metals impacts above 2L Standards were more widespread and identified in the former northeastern manufacturing building, floor pit, finishing/lacquer room, soil-stained structure, former UST basins, and former AST farms across the Subject Property. Results of the 2023 Brownfields assessment activities indicated that soil and groundwater could be managed in accordance with an NCDEQ approved Environmental Management Plan (EMP). However, NCDEQ Risk Calculator results indicate that unacceptable risk levels were calculated under a potential future residential use. These results indicate that potential vapor intrusion risks are present at unacceptable levels for future residential structures. Results of the 2023 Brownfields assessment were documented in a *Brownfields Assessment Report* dated August 1, 2023.

1.7 Project Goal

The planned reuse for the Subject Property involves the City of Lenoir potentially selling the Brownfields property for redevelopment. A number of potential uses have been discussed, including commercial, residential/mixed use, and possibly data center use. The City of Lenoir does not currently have a prospective purchaser for the Subject Property and believes the existing debris piles are an impediment to attracting serious inquiries. However, redevelopment of the Subject Property into a data center or similar use may avoid the need of certain institutional controls such as a Vapor Intrusion Mitigation System (VIMS). This *Analysis of Brownfields*

Cleanup Alternatives has been prepared to support the application of a remediation grant from USEPA Region 4. The City of Lenoir intends to facilitate renovation of the property through risk-based remediation of environmental impacts from historical furniture manufacturing operations.

2.0 Applicable Regulations and Cleanup Standards

Based on a review of data collected as part of the investigations discussed previously, contaminated soils and hazardous debris piles exist at the Subject Property and therefore pose a risk to human health and the environment. These conditions will need to be addressed in accordance with the provisions of the site BFA (currently under development) in order for the site to be safely redeveloped.

2.1 Cleanup-Oversight Responsibility

Management of impacted debris piles that remain on the Subject Property will be overseen through the NCBRS (NCGS 130A310.30). In addition to the NCBRS, this work must be performed in accordance with USEPA Region IV Science and Ecosystem Support Division (SESD) *Field Branches Quality System and Technical Procedures* guidelines.

2.2 Cleanup Standards for Major Contaminants

The City intends to sell the property which will subsequently be redeveloped for possible commercial, industrial, and possible residential uses. As such, residential PSRGs will be used for the cleanup goal of the Subject Property. The BFA is currently in development and will be used to establish final cleanup levels. The remediation of soil exceeding residential PSRGs and remaining debris piles are assumed to be the minimum cleanup goals for the Subject Property. Currently, remediation of groundwater designed to meet groundwater quality standards is not anticipated since municipal water is available. Perpetual land use restrictions (LURs) will be recorded with the property deed to restrict use of groundwater. An *Environmental Management Plan* (EMP) will be developed to restrict potential future exposure during construction activities on the Subject Property.

2.3 Laws and Regulations Applicable to the Cleanup

Federal, state, and local laws, rules, and regulations will be followed during the cleanup activities at the site. Applicable North Carolina environmental-related regulations in Title 15A of the North Carolina Administrative Code (NCAC) pertaining to cleanup of the site may include surface water and wetland standards (Section 2B), groundwater quality standards (Section 2L), underground storage tanks (Section 2N), hazardous waste management (Section 13A), and solid waste management (Section 13B).

2.4 Climate Change Considerations

USEPA guidance has directed the recipients of Cleanup and Revolving Loan Fund grants to “evaluate the resilience of the remedial options in light of reasonably foreseeable changing climate conditions” which can include sea level rise, increased frequency and intensity of flooding, and/or extreme weather events. The climate in the City of Lenoir and more broadly around the Southeast region is uniquely warm and wet, with mild winters and high humidity. Based on a regional analysis conducted by the USEPA, the average annual temperature has exhibited natural variation for most of the past century but has increased approximately 2° F over the past 40 years. Current climate models predict continued warming across the Southeast with the rate of warming more than twice the current rate over the next 70 years. The frequency, duration, and intensity of droughts are likely to continue to increase with higher average temperatures and a higher rate of evapotranspiration. Analysis of recent storm trends have indicated that climate change can influence the intensity and number of extreme storm events. As discussed above in **Section 1.3**, climate change factors are not likely to significantly impact the cleanup of the Subject Property.

3.0 **Analysis of Brownfields Cleanup Alternatives**

Each of the following remedial alternatives is compared to effectiveness, long-term reliability, implementability, and general cost implications. The remedial options are summarized on **Table 1** and **Table 2**.

3.1 Alternative 1: No Action

Alternative 1 is also known as the “No Action” alternative and is included as a baseline comparison to other remedial alternatives. The “No Action” alternative assumes remedial activities are not conducted.

3.2 Alternative 2: Off-Site Disposal

Alternative 2 would involve the off-site disposal of all existing debris piles that remain from historical furniture manufacturing and recycling operations. Any surface soils that are impacted above applicable NCDEQ standards, based on ultimate use, could also be properly disposed if required.

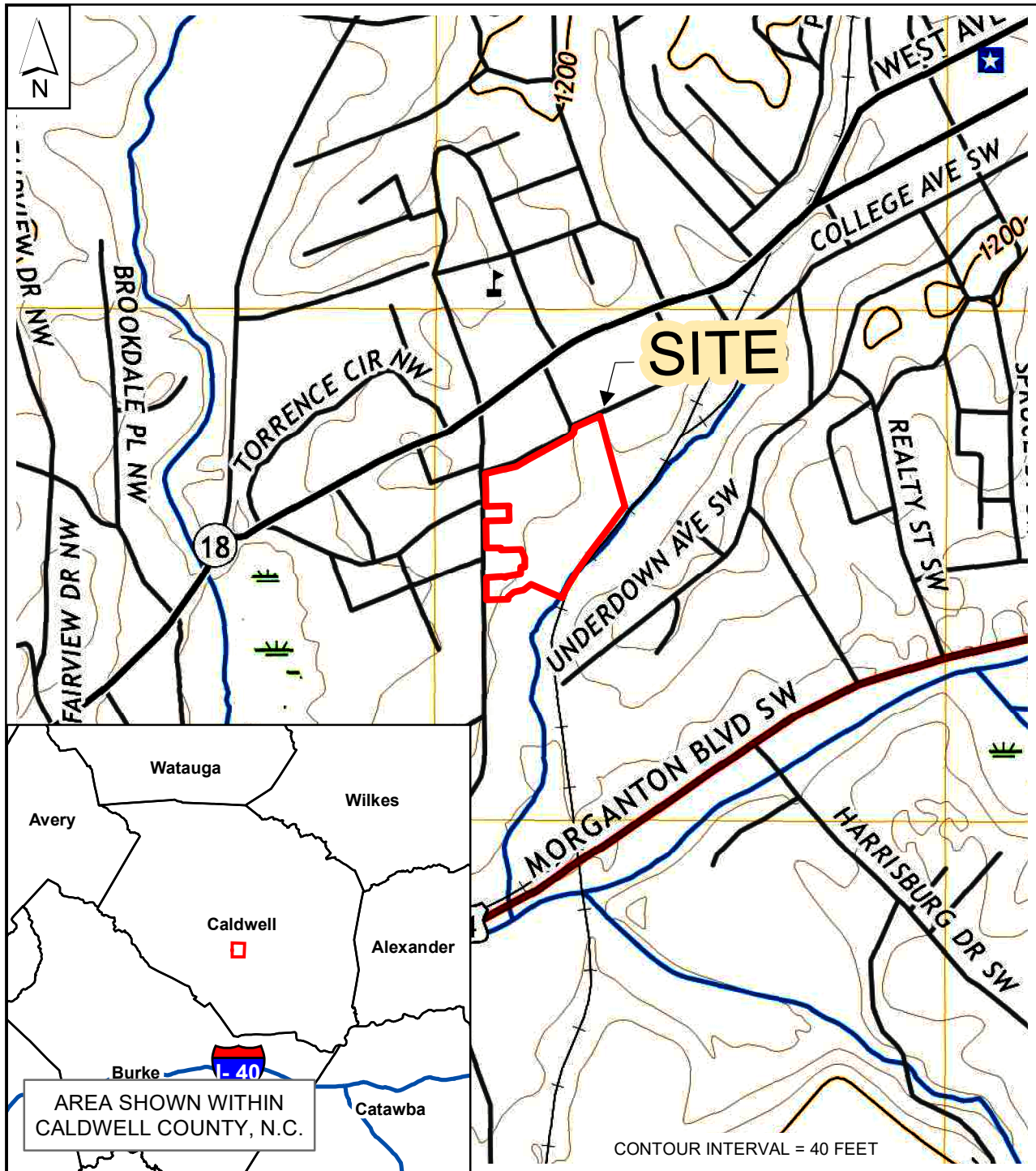
3.3 Alternative 3: Capping

Alternative 3 would involve the grading of existing debris piles and contaminated surface soils by capping the areas with a minimum of 2 feet of clean fill and/or impervious cover per NCBRS guidance. The capping would be handled in accordance with a NCBRS-approved EMP and submitted at a later date.

3.4 Recommended Cleanup Alternative

The primary objective of the cleanup alternatives is to reduce or prevent potential risk to human health and/or the environment from site contaminants by properly addressing the debris piles and contaminated soil from historical furniture manufacturing and recycling operations. Alternative 1 does not meet this objective. Alternatives 2 and 3 meet this objective. Alternative 3 meets the objective more quickly and less expensively than Alternative 2. Additionally, regardless of the capping alternative, the redevelopment of the Subject Property will likely include the need for clean fill to bring the site to grade. As such, Alternative 3 is the recommended cleanup alternative.

Drawings



REFERENCES:

1. LENOIR, NC DIGITAL RASTER GRAPHICS, USGS, SCANNED FROM 1:24,000-SCALE CALDWELL COUNTY, NC TOPOGRAPHIC MAPS, PUBLISHED 2022, USGS.
2. PROPERTY BOUNDARY FROM CALDWELL COUNTY GIS.
3. INSET MAP DATA DOWNLOADED FROM ARCGIS ONLINE.

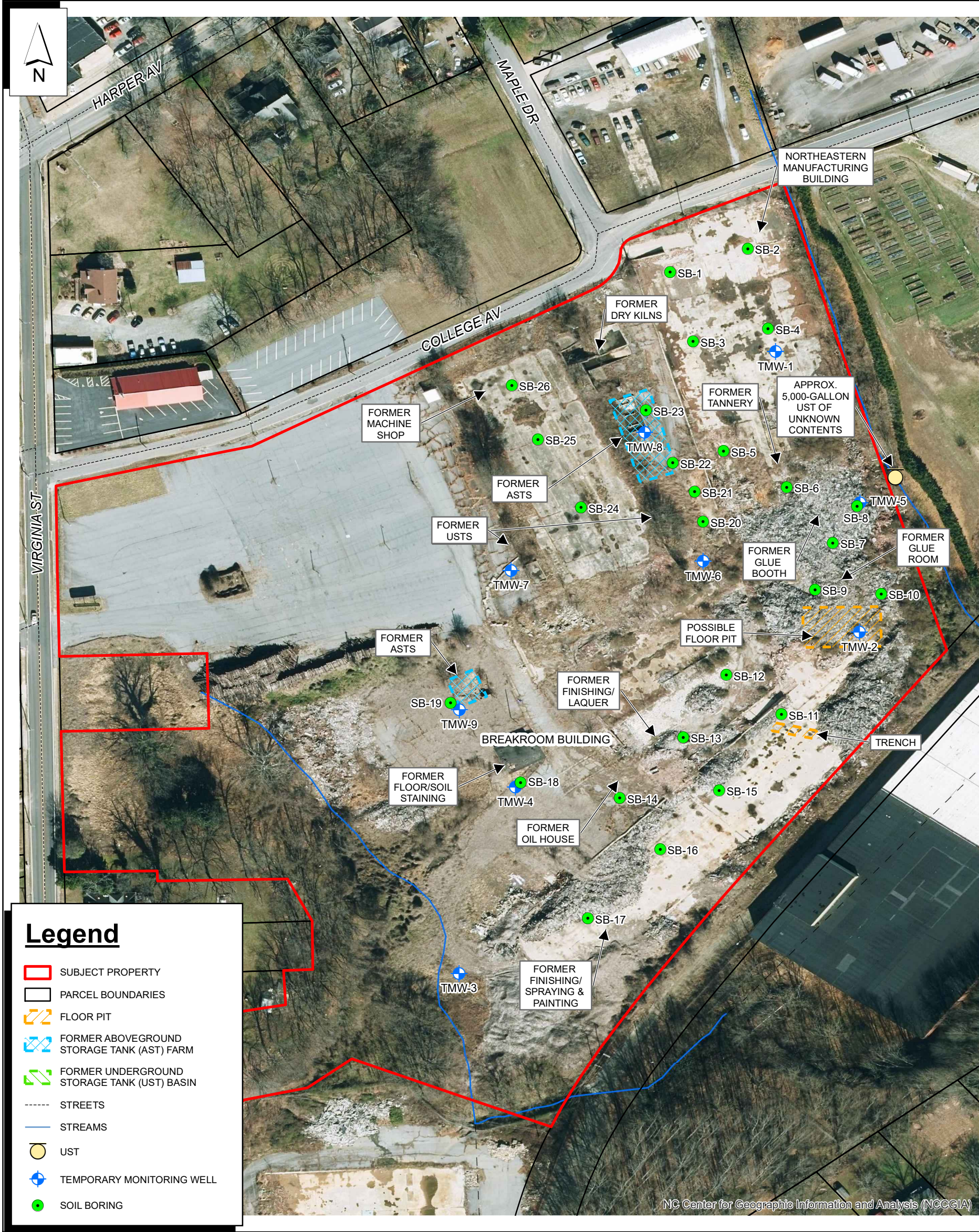
SCALE:1:12,000

0 500 1,000 2,000
Feet



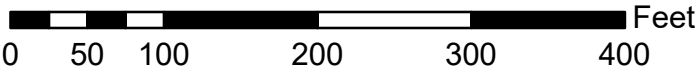
DRAWING 1
TOPOGRAPHIC SITE MAP
FORMER BROYHILL PROPERTY
1429 COLLEGE AVE SW LENOIR,
NORTH CAROLINA

DRAWN BY:	DATE:
DRAFT CHECK: MSS	SEPTEMBER 2025
ENG. CHECK:	JOB NO: 021H1622.00
APPROVAL: GDI	GIS NO: 07G-021H1622.00-01
	DWG NO: 1



- REFERENCES:
- 1. 2018 AERIAL IMAGERY FROM NC ONEMAP.
 - 2. CALDWELL COUNTY GIS.
 - 3. MID-ATLANTIC FIELD NOTES.

1 inch = 125 feet



DRAWING 2
SITE OVERVIEW MAP
FORMER BROYHILL PROPERTY
1429 COLLEGE AVE SW LENOIR,
NORTH CAROLINA

DRAWN BY:		DATE:	SEPTEMBER 2025
DRAFT CHECK:	MSS	JOB NO:	021H1622.00
ENG. CHECK:		GIS NO:	07G-021H1622.00-02
APPROVAL:	GDI	DWG NO:	2

Tables

TABLE 1 – Brownfield Cleanup Alternatives Evaluation

Remedial Alternative	Effectiveness	Long-Term Reliability	Implementation/Implementation Risk	Cost Implications
1. No Action	Does not address potential risks.	Not applicable.	No implementation risk.	No cost implications.
2. Off-Site Disposal	Effectively eliminates potential exposure through the removal of remaining debris piles from the site.	Reliability of disposal is high. The approach can be slightly intrusive, but very effective (reliable).	Implementation can be conducted using ordinary construction equipment. Operational time is short, likely one to two weeks. Minor implementation risks associated with transportation to appropriate disposal facility. Minor risk to community due to transportation.	Moderate to high costs for transportation and disposal fees. No long-term costs.
3. Capping	Effectively eliminates potential exposure through a clean “cap” of a minimum of 2 feet of clean soil and/or impervious cover.	Reliability is high and the approach can be jointly addressed during construction activities.	Implementation can be conducted using ordinary construction equipment. Operational time is short, likely one to two weeks. Minor risk involving the import of clean fill.	Moderate to high costs for bringing in clean fill for the capping of graded debris piles. No long-term costs.

TABLE 2 – Estimated Comparative Costs for Cleanup Alternatives

Cleanup Alternative	Estimated Costs	Notes
1. No Action	\$0	Not a viable option.
2. Off-Site Disposal	\$100,000 to \$200,000	Loading, transportation, and disposal of remaining debris piles. Environmental professional oversight and waste characterization sampling.
3. Capping	\$50,000 to \$100,000	Grading of existing debris piles and capping with a minimum of 2 feet of clean fill and/or impervious cover during construction activities. No need for environmental professional oversight and waste characterization sampling. This would be necessary during redevelopment in order to bring the site to grade.

CITY OF LENOIR COUNCIL ACTION FORM

- I. **Agenda Item:** Contract Amendment #1: LFD Infrastructure Repair (Stormwater); Staff recommends City Council approval of Contract Amendment No.1 with W.K. Dickson & Co., LLC d/b/a Ardurra Group to extend the time of Performance for LFD Infrastructure Repair services until August 31, 2026 with no additional fees.

- II. **Background Information:** The City of Lenoir approved a contract for the Lenoir-Fire Department Infrastructure Repair #202330663.RA on July 19, 2023 with W.K. Dickson & Co., LLC d/b/a Ardurra Group North Carolina as the city's engineering design consultant. The goal of this project was to design and develop the most efficient and economic repair and or replacement of a collapsed 42" CMP Storm pipe running parallel to Lenoir Fire Station #1 located at 602 Harper Ave NW, Lenoir, NC (NCPIN#27498765549). The Scope of work included survey preparation of engineering report, design engineering/plans and specifications, permitting, prequalification of bidders, bidding and award, construction oversight and administration and construction close-out and provision of as-constructed drawings for a total not to exceed \$546,366.00.
The project was let in May of 2024 with no responsive bidders. It was decided at that time to bisect the project into 2 Phases and remove the utility relocation portion of the project to create a more manageable project for contractors. Since then the utility relocation portion or Phase 1 of the project has been designed, bid, awarded and is scheduled to begin construction in November. Phase II of the project will be the replacement of the 42" CMP storm pipe and shoring of the Fire Station #1 facility. W.K. Dickson & Co., LLC d/b/a Ardurra Group North Carolina have submitted Contract for Services Amendment NO.1 Additional Services Authorization (please see attachment Amendment NO.1/Attachment #1). This amendment will extend the time of services (contract) for additional services to August 31, 2026. The scope of work includes the redesign that incorporates the adjacent utility relocation project or Phase 5 Task 04: Final Design Submittal, which includes Sealed Final Design Plan Set and Final Design with Opinion of Probable Cost. Also, Phase 07 Task 01: Final Design Submittal -100% Plans Released for Bid, which includes prequalification of bidders, bidding and award services and recommendation of the contractor.
Please note that the total Contract lump sum will not change since the fee will be reallocated within the existing contract.

- III. **Staff Recommendation:** Based on W.K. Dickson & Co., LLC d/b/a Ardurra Groups previous work on this project staff recommends approval of Contract For Services Amendment NO.1 in order to get Phase II of the project out for bid by January 2026.

- IV. **Reviewed By:**

City Attorney:

Public Works/Public Utilities Director: JH

City Manager:



CONTRACT FOR SERVICES AMENDMENT NO. 1

ADDITIONAL SERVICES AUTHORIZATION

The following modifications to the contract ("Contract") for Lenior – Fire Department Infrastructure Repair #20230663.00.RA dated July 19, 2023 between City of Lenior (OWNER) and W.K. Dickson & Co., LLC d/b/a Ardurra Group North Carolina (CONSULTANT) are authorized.

1. SCOPE OF SERVICES.

The Scope of Work for this Amendment is included as Attachment #1.

2. TIME OF PERFORMANCE. CONSULTANT's time of performance for the above additional services shall be extended to August 31, 2026.

3. COMPENSATION. The total Contract lump sum will not change since this fee will be reallocated within the existing contract.

All other terms of the Contract remain unchanged.

OWNER:

CITY OF LENIOR

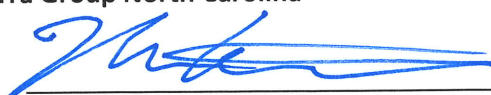
By: _____

Name: _____

Title: _____

Date: _____

CONSULTANT:

W.K. DICKSON & CO., LLC d/b/a
Ardurra Group North CarolinaBy:  _____

Name: Marc Horstman, PE

Title: Watershed Services Group Leader

Date: 9-23-25

Attachment #1

This Scope of Work is for the Lenior – Fire Department Infrastructure Repair project that will incorporate updates to the design plans resulting from an adjacent City sewer project and will also include the following Bid Phase Services.

➤ **Phase 05 Task 04: Final Design Submittal (100% Plans – Released for Bid)**

The CONSULTANT shall develop final design plans and specifications in sufficient form and detail for the OWNER to bid the construction contracts. The final design shall include the final version of items required in the Draft Final Design (60%) submittal and will include a redesign that incorporates the adjacent City sewer project. This effort assumes one draft submittal to the OWNER for a final review and incorporation of their comments, a site visit to confirm any changes prior to bidding, and updating the Project Manual as needed to reflect these design changes.

Task 5.4 Deliverables (Digital Submittal):

- *Final Design - Plan Set (Sealed - Released for Bid)*
- *Final Design – Opinion of Probable Construction Cost (OPCC)*

➤ **Phase 07 Task 01: Final Design Submittal (100% Plans – Released for Bid)**

The CONSULTANT will provide the following bid services for the project, including:

- Preparation of construction bidding documents, proposal bid forms, and bond forms;
- Reproduction of the plans and documents for bidding;
- Advertise the project;
- Maintenance of the bidder's log;
- Attending and conducting the pre-bid meeting;
- Attending and conducting up to two (2) bid openings (do not anticipate getting three bidders the first round);
- Issue up to two (2) addendums;
- Provide clarifications and information as requested by bidders;
- Tabulation of the bids received;
- Reviewing the bid packages for compliance with the contract requirements; and
- Recommendation of the contractor.

Lenoir Fire Department Infrastructure Repair Fee Reallocation #1

Phase	Task	Description	Fee	Fee Remaining	Fee Spend	Fee Deduct	Fee Increase	Updated Fee
01	1	NC Golden Leaf Foundation Application (Hrly)	\$5,410.00	\$4.50	\$5,405.50	\$ 4.50	\$ -	\$5,405.50
	2	NCDPS Non-Specific Funding Assessment (Hrly)	\$820.00	\$73.50	\$746.50	\$ 73.50	\$ -	\$746.50
02	1	Project Administration	\$16,332.00	\$0.00	\$16,332.00	\$ -	\$ -	\$16,332.00
03	1	Colliers - Field and Subsurface Survey	\$23,397.00	\$0.00	\$23,397.00	\$ -	\$ -	\$23,397.00
	2	Colliers - Test Holes	\$17,017.00	\$0.00	\$17,017.00	\$ -	\$ -	\$17,017.00
	3	Colliers - Property and Storm Drainage Easement Acquisition Assistance	\$0.00	\$0.00	\$0.00	\$ -	\$ -	\$0.00
	4	Survey Project Administration	\$4,886.00	\$0.00	\$4,886.00	\$ -	\$ -	\$4,886.00
04	1	CVET - Geotechnical and Environmental Evaluation	\$38,500.00	\$0.00	\$38,500.00	\$ -	\$ -	\$38,500.00
	2	Geotechnical Project Adminstration	\$2,586.00	\$0.00	\$2,586.00	\$ -	\$ -	\$2,586.00
05	1	Existing Conditions H&H Evaluation	\$4,056.00	\$0.00	\$4,056.00	\$ -	\$ -	\$4,056.00
	2	Proposed Alternatives H&H Evaluation	\$5,950.00	\$0.00	\$5,950.00	\$ -	\$ -	\$5,950.00
	3	Draft Design Submittal (60% Plans)	\$30,109.00	\$0.00	\$30,109.00	\$ -	\$ -	\$30,109.00
	4	Final Design Submittal (100% Plans – Released for Bid)	\$18,492.00	\$0.00	\$18,492.00	\$ -	\$ 8,000.00	\$26,492.00
	5	Project Manual Preparation	\$29,162.00	\$0.00	\$29,162.00	\$ -	\$ -	\$29,162.00
	6	Public Utility Coordination	\$4,270.00	\$0.00	\$4,270.00	\$ -	\$ -	\$4,270.00
06	1	Permitting	\$7,927.00	\$0.00	\$7,927.00	\$ -	\$ -	\$7,927.00
07	1	Bid Phase Services	\$15,456.00	\$0.00	\$15,456.00	\$ -	\$ 11,000.00	\$26,456.00
08	1	Project Management (Hrly)	\$13,814.00	\$13,814.00	\$0.00	\$ -	\$ -	\$13,814.00
	2	Construction Administration (Hrly)	\$102,102.00	\$102,102.00	\$0.00	\$ -	\$ -	\$102,102.00
	3	Resident Project Representative Management (Hrly)	\$184,080.00	\$184,080.00	\$0.00	\$ -	\$ -	\$184,080.00
09	1	Unspecified Additional Services	\$20,000.00	\$19,050.00	\$950.00	\$ 19,722.00	\$ -	\$278.00
10	1	Reimbursables	\$2,000.00	\$0.00	\$2,000.00	\$ -	\$ 800.00	\$2,800.00
		Totals	\$546,366.00	\$319,124.00	\$227,242.00	\$19,800.00	\$19,800.00	\$546,366.00

CITY OF LENOIR COUNCIL ACTION FORM

- I. Agenda Item:** Authorizing Resolution: NC Commerce Small Business Infrastructure Grant Program: Staff recommends approval of the submitted resolution authorizing the City Manager to execute and file a grant application for approximately \$500,000 for the proposed Steele Cotton Mill Stormwater Project.
- II. Background Information:** A local developer needs to relocate a stream that runs underneath their historic building. This stream relocation will require the City of Lenoir to make infrastructure changes to allow for proper runoff of stormwater to avoid flooding in the area, which could affect area businesses. It is proposed to reroute the stormwater from College Avenue and Harper Avenue to join the infrastructure just West of Steele Street. A concrete junction box will be constructed under Steele Street where the corrugated piping begins to connect the stormwater from both College Avenue and Harper Avenue into this box. Completing this project will result in improved stormwater management and allow for the redevelopment of the property for much needed housing. This property is a locally designated Historic Landmark and is on the National Register of Historic Places. This downtown area is also located in a US Qualified Opportunity Zone.

The estimate to make these stormwater infrastructure improvements is \$500,000.

The NC Commerce Small Business Infrastructure Grant Program (SmBIZ) offers grants to local governments to assist in restoring or expanding small businesses' ability to attract customers to business districts to help retain business, expand access, spur private investment to create stability, and leverage resources to create resiliency and economic growth. The related infrastructure projects will target and support small businesses that employ 150 or fewer employees. Funding is awarded on a first-come, first-served basis.

The Western Piedmont Council of Government is assisting with the grant application & administration.

- III. Staff Recommendation:** Staff recommends City Council approve the Authorization Resolution as presented.
- IV. Reviewed by:**
- City Attorney:** _____
- Finance Director:** _____
- City Manager:** _____

**Authorizing Resolution for
Application for North Carolina Department of Commerce
Small Business Infrastructure Grant Program (SmBIZ)
Rural Engagement & Investment Program
Steele Cotton Stormwater Project**

WHEREAS, the City Council of the City of Lenoir desires to assist in Hurricane Helene recovery efforts within the City of Lenoir; and,

WHEREAS, the City Council fully supports the proposed Steele Cotton Mill Stormwater Project which will result in the rerouting of stormwater and construction of a concrete junction box on Steele Street to support small businesses in downtown Lenoir which will improve stormwater collection along College Avenue and Harper Avenue, and

WHEREAS, these proposed improvements will also assist in the stabilization of J.M. Bernhardt Planing Mill and Box Factory (Steele Cotton Mill), an old historic mill located on the National Register of Historic Places and which is located in a US Qualified Opportunity Zone, and

WHEREAS, the City Council wishes to pursue a formal application in the amount of \$500,000 from the North Carolina Department of Commerce, Small Business Infrastructure Grant Program (SmBIZ) Rural Engagement & Investment Program for these proposed improvements;

NOW, THEREFORE, BE IT RESOLVED, by City Council of the City of Lenoir that Scott Hildebran, City Manager, and successors so titled is hereby authorized to execute and file application on behalf of the City of Lenoir with the Department of Commerce for grant assistance in the development of the project described above; and

This Resolution shall take effect immediately upon its adoption.

Adopted this the 21st day of October, 2025.

Attest:

Lauren Hartley, City Clerk

Joseph L. Gibbons, Mayor

Small Business Infrastructure Grant Program

Local Government Certifications

The attached statements and exhibits are hereby made part of this application, and the undersigned representative of the applicant certifies that the information in this application and the attached statements and exhibits are true, correct, and complete to the best of the signatory's knowledge and belief. The signatory further certifies:

- 1 that, as Authorized Representative, the signatory has been authorized to file this application by formal action of the governing body;
- 2 that the governing body agrees that if a grant is awarded, the applicant will provide proper and timely submittal of all documentation requested by the Grantor Agency;
- 3 that the applicant has substantially complied with or will comply with all federal, state, and local laws, rules, regulations, and ordinances as applicable to this project;
- 4 that the applicant has analyzed the listed business or businesses and determined that they meet the Program requirements regarding location, employment numbers, and adverse impact;
- 5 that the project is in accordance with the location, infrastructure needs, and adverse impact requirements of the Program; and
- 6 that the county which the applicant sits and in which the project will take place has not received the maximum total funds it is allowed under the Program.

Signature of Local Government Chief Elected Official

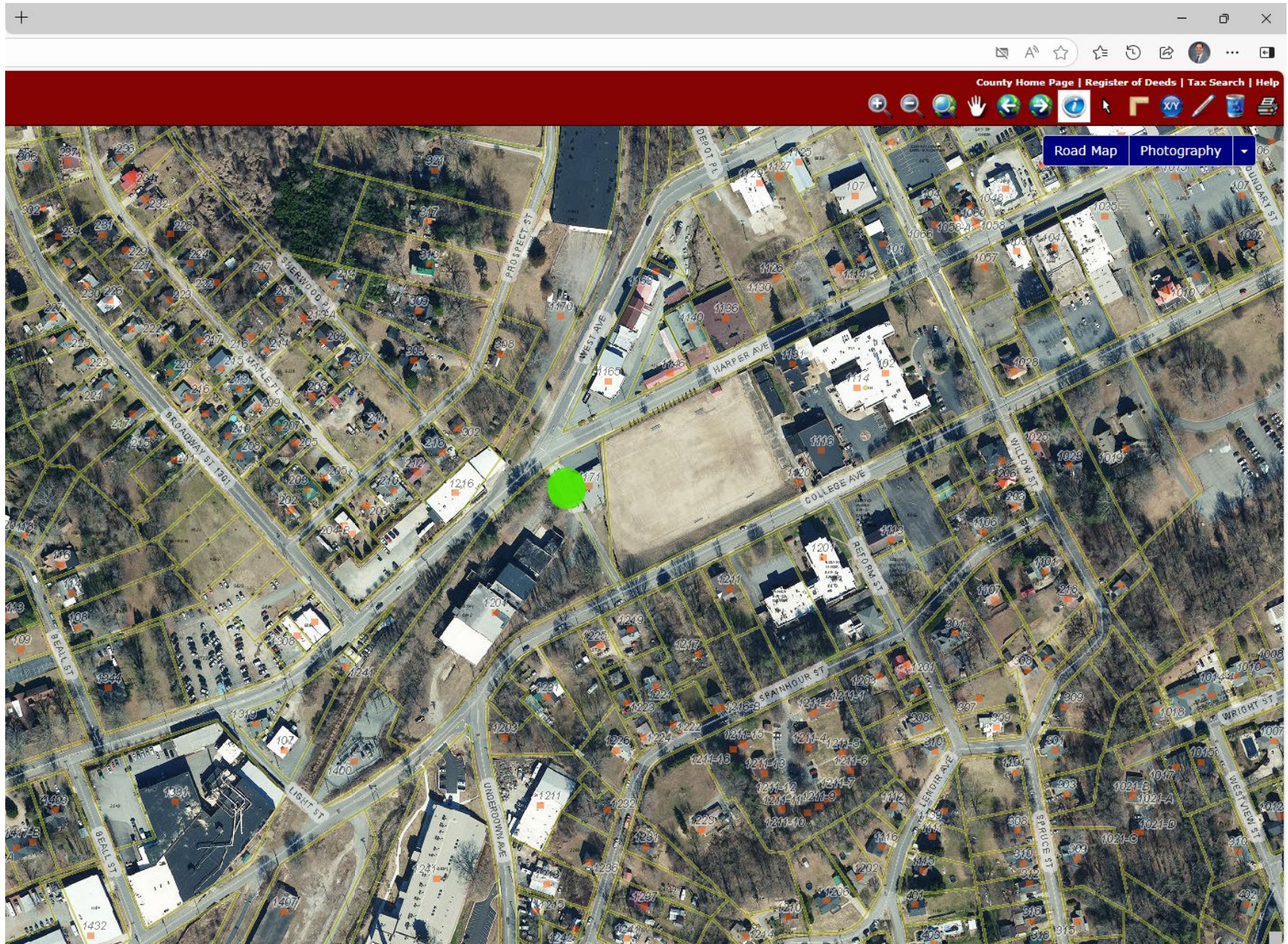
Joseph L. Gibbons

Typed Name

Mayor

Typed Title

Date



**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. Agenda Item:** Land & Easement Acquisition for Stormwater Improvements, The Campus: Authorize the City Attorney and City Manager to proceed with executing the necessary documents to acquire:
#1 – 0.24 acres of the 0.414316-acre lot (NCPIN 2749665644, Parcel ID 06-13-1-3) located on West Avenue from Larkin Cowles Bentley Revocable Trust as shown on the enclosed plat, and
#2 – a 30' temporary construction drainage easement and a 15" permanent drainage easement (NCPIN 2749668509, Parcel ID 06-13-1-14 and NCPIN 2749668671, Parcel ID 06-13-1-13) located on Harper Avenue from Luis Alberto Hernandez as shown on the enclosed plat for \$1.00.
- II. Background Information:** The City owns property adjacent to these parcels and plans to construct an Overmountain Victory Trail Pavilion on the city-owned land as part of The Campus Project. The property and easement acquisitions will allow for the implementation of stormwater measures required for the development.

Both property owners have been receptive to the City for these land and easement acquisitions for stormwater purposes.

A plat showing the Larkin property and the Hernandez easement (and vicinity maps) are enclosed for your information.

- III. Staff Recommendation:** Authorize the City Attorney and City Manager to proceed with executing the necessary documents to acquire:
#1 – 0.24 acres of the 0.414316-acre lot (NCPIN 2749665644, Parcel ID 06-13-1-3) located on West Avenue from Larkin Cowles Bentley Revocable Trust as shown on the enclosed plat, and
#2 – a 30' temporary construction drainage easement and a 15" permanent drainage easement (NCPIN 2749668509, Parcel ID 06-13-1-14 and NCPIN 2749668671, Parcel ID 06-13-1-13) located on Harper Avenue from Luis Alberto Hernandez as shown on the enclosed plat for \$1.00.

IV. Reviewed By:

Special Projects:

City Attorney:

City Manager:

I, Phillip B. White, certify that this map was drawn under my supervision from an actual survey made under my supervision using GNSS Real Time Kinematic field procedures; that the boundaries not surveyed are clearly indicated and drawn from information found in deed books as shown; that the positional accuracy standard does not exceed 0.10 feet plus 50 ppm measured relative to the property corners used. [[21 NCAC 56.1603]]; that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 1600); that this plat was prepared in accordance with G.S. 47-30 as amended.

I also hereby certify that this survey is of the following category as described in G.S. 47-30 (F)(11)(d): That the survey is of another category, such as the recombination of existing parcels, a court ordered survey, or other exemption or exception to the definition of subdivision.

Witness my Original Signature, License Number, and Seal
this 25th Day of August A.D., 2025

Phillip B. White, PLS
N.C. Professional Land Surveyor
License # L-4994

I, Phillip B. White also certify the following information was used to perform the survey:

- (1) Class of survey: A
- (2) Positional accuracy: Does not exceed 0.07 feet plus 50 ppm measured relative to all points used
- (3) Type of GPS field procedure: Real Time Kinematic
- (4) Dates of survey: 10/2/2025
- (5) Datum/Epoch: NAD 83(2011) Epoch 2010.00
- (6) Horizontal Control: NCGS MONUMENT "LENOIR"
- (7) Geoid model: Geoid 18
- (8) Combined grid factor(s): 0.9998898286
- (9) Units: U.S. Survey Feet

SYMBOL LEGEND

- NCGS MONUMENT FOUND
- UNMARKED POINT
- MONUMENT FOUND (AS DESCRIBED)
- △ 1/2" REBAR SET
- △ MAGNETIC NAIL FOUND
- UTILITY POLE

LINE TYPE LEGEND

- PROPERTY LINE (SURVEYED)
- DEED / PLAT LINE (NOT SURVEYED)
- SS — SS — SS — SS — UNDERGROUND SANITARY SEWER LINE
- OU — OU — OU — OU — OVERHEAD UTILITY LINE
- UNDERGROUND STORMWATER LINE
- EDGE OF CONCRETE
- CONCRETE CURB
- FENCE (AS DESCRIBED)
- BUILDING SETBACK LINE

ABBREVIATION LEGEND

- N: NORTHING
- E: EASTING
- EL: ELEVATION
- GNSS: GLOBAL NAVIGATION SATELLITE SYSTEM
- INV: INVERT
- @: AT
- PIN: PARCEL IDENTIFIER NUMBER
- D.B.: DEED BOOK
- P.B.: PLAT BOOK
- PG.: PAGE
- DI: DROP INLET

RAILROAD SPIKE FOUND FLUSH
N:796627.25'
E:1246427.15'

LARKIN COWLES BENTLEY REVOCABLE TRUST
TRUST DATED MARCH 16, 1993
PIN 2749664417
D.B. 1463, PG. 273 TRACT 2

PERMANENT EASEMENT NO. 3
P.B. 30, PG. 125
D.B. 1856, PG. 240

LARKIN COWLES BENTLEY REVOCABLE TRUST
PIN 2749665644
D.B. 1587, PG. 486

LARKIN COWLES BENTLEY REVOCABLE TRUST
PIN 2749664672
D.B. 1707, PG. 742

AREA TO BE RECOMBINED
WITH CITY OF LENOIR
10336± SQ FT
0.24± AC

THIS LINE TO BE
ABANDONED

CITY OF LENOIR
PIN 2749666419
D.B. 2060, PG. 1137

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, _____, REVIEW OFFICER OF CALDWELL COUNTY,
CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS
AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

Subdivision Administrator
City of Lenoir

Date

WEST AVENUE NW
ASPHALT PAVEMENT
NO RIGHT-OF-WAY DOCUMENTATION FOUND

1 1/8" IRON PIPE
FOUND FLUSH

CENTRAL ADVENT CHRISTIAN CHURCH
PIN 2749668787
D.B. 1220, PG. 318

CITY OF LENOIR
PIN 2749667745
D.B. 1762, PG. 33

UNMARKED POINT
IN SWAMP/DITCH

PK NAIL FOUND

LUIS ALBERTO HERNANDEZ
PIN 2749668807
D.B. 2041, PG. 1311 TRACT ONE

LUIS ALBERTO HERNANDEZ
PIN 2749668509
D.B. 2041, PG. 1311 TRACT TWO

3/4" IRON PIPE
FOUND -0.1'

3/4" IRON PIPE
FOUND FLUSH

1" PIPE FOUND +1.1'

LINE	BEARING	DISTANCE
L1	N 15°59'48" W	22.77'
L2	N 09°17'32" E	97.33'

Recombination Survey and Proposed Easements
for the

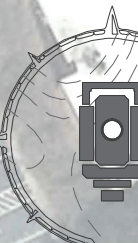
City of Lenoir

REFERENCES

Record Owner: LARKIN COWLES BENTLEY REVOCABLE TRUST
PIN 2749665644
Deed Book 1587 Page 486
Lenoir Township, City of Lenoir, Caldwell County, NC
Field Work Completed: 10-7-2025
Drawn By: P. White
JOB #25044
Phillip White Land Surveying, PLLC
Phillip B. White, PLS
Firm Licensure # P-2895
2735 Willowbrook Rd., Lenoir, NC 28645
828.292.0752

50' 0' 50' 100' 150'

SCALE 1" = 50'



PHILLIP WHITE
LAND SURVEYING, PLLC

Vicinity Map
(not to scale)

*SITE

HARPER AVENUE
WEST AVENUE NW
WILLOW STREET



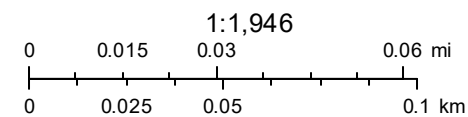
This map is NOT of land survey quality and is NOT suitable for such use.

Owner BENTLEY LARKIN COWLES
REVOCABLE TRUST
PO BOX 995
LENOIR, NC 28645

Acct Number 120801
Parcel ID 06 13 1 3
NCPIN 2749665644

Deferred Val	\$0
Assessed Val	\$25,400
Calc Acreage	0.414346
Land Units	127 (FF)
Legal Desc	BK 1587 PG 486 YR 06 ST 40.00
Plat Ref	/
Property Addr	WEST AV

Caldwell County



October 17, 2025



This map is NOT of land survey quality and is NOT suitable for such use.

Owner HERNANDEZ LUIS ALBERTO

1114 HARPER AVE NW
LENOIR, NC 28645

Acct Number

173330

Parcel ID

06 13 1 14

NCPIN

2749668509

Deferred Val \$0

Assessed Val \$33,400

Calc Acreage 0.276614

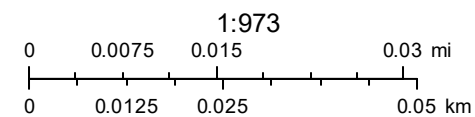
Land Units 80 (FF)

Legal Desc BK 2041 PG 1311 YR 2021 ST 0.00

Plat Ref 00000/00000

Property Addr HARPER AV

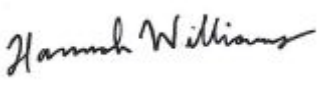
Caldwell County



October 17, 2025

CITY OF LENOIR**COUNCIL ACTION FORM:****October 21, 2025**

- I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 311 Sharon Ave.
- II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
- III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.
- IV. **Reviewed by:**

City Attorney: _____**Finance Director:** _____**Planning Director:** _____


AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owners of this dwelling, **Nelly Gladys Julca Fernandez**, have/has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on November 21, 2022 and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation: the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **311 Sharon Ave**
Lenoir, North Carolina
Parcel-ID 09 49 3 4
NCPIN 2759192535

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS 160D-1203.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160D-1203 (7).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Adopted this the 21st day of October 2025.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**Lauren Hartley
CITY CLERK**

APPROVED AS TO FORM:

**Timothy J. Rohr
CITY ATTORNEY**

Minimum Housing Violation Affidavit
(311 Sharon Ave.)

I, Matthew Bolick affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 311 Sharon Ave. NCPIN: 2759192535. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief

Date

Matthew Bolick

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that _____ personally appeared before me on the ____ day of October, 2025 and signed the above Affidavit ad hid free and voluntary act and deed.

Notary Public

Owner: Nelly Gladys Julca Fernandez
 Property: 311 Sharon Ave.
 NC Pin: 2759192535
 Minimum Housing Violation Timeline

The following information was provided by City Housing Inspector Matthew Bolick

- **August 7, 2024.** On this day the initial minimum housing violation/hearing notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. The owner failed to contact the housing inspector and neither the certified letter or first class mail returned.
Certified Mail No. 9589 0710 5270 0031 5584 61
- **May 8, 2025.** On this day the second minimum housing violation/order to abate notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Second minimum housing letter determined that the structure was unfit for human habitation and a danger to the public health, safety, morals, and general welfare of the City's inhabitants. Due to that ruling the structure must be demolished and removed from the property. Neither the certified letter or first class letter was returned. The owner failed to contact the housing inspector.
Certified Mail No. 9589 0710 5270 2289 2904 52
- **September 10, 2025.** Notification was mailed to the owner informing them that the housing inspector will be submitting an ordinance to City Council for the demolition of the dwelling located at 118 Plymouth Rd. The City Council will consider this ordinance for adoption at the October 21, 2025 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the demolition of the dwelling will begin after November 3, 2025. All fees accumulated from the demolition will be placed as a lien on the property.
Certified Mail No. 9589 0710 5270 2289 2922 10
- **September 11, 2025.** On this day the property was posted with the Minimum Housing Initial Letter, Minimum Housing Violation/Order to Abate Letter, and Final Notice Letter.
- **October 2025.** In accordance with the City of Lenoir Code of Ordinance a Notice of Order to Demolish was submitted in the Lenoir News Topic. The ad requested that any person having or claiming an interest in the property be present for the City Council meeting. The ad was submitted and ran once a week for two consecutive weeks. Ad published on Thursday October 9, 2025 and Thursday October, 16, 2025.
- At this time it is requested that an ordinance be passed for the demolition of the dwelling at 311 Sharon Ave.NW. Demolition will take place after November 3, 2025 and all fees accumulated will be placed as a lien on the property.



Minimum Housing Violation and Hearing Notice

08/07/2024

FERNANDEZ NELLY GLADYS JULCA
18202 WILLOW CREEK WAY APT N
MONTGOMRY VLG, MD 20886

Certified Mail: 9589 0710 5270 0031 5584 61

To: **FERNANDEZ NELLY GLADYS JULCA**, owner(s) of property located at **311 SHARON AV** (NCPIN:2759192535) in the City of Lenoir, North Carolina.

Condition of structure is determined as: **Dilapidated**

The property listed above has been reported to the City of Lenoir for violations of the City's Minimum Housing ordinance. The structure in its current condition is unfit for human habitation, and is creating conditions detrimental to the public health and safety.

As the legal owner(s), you have **ten (10) days** to contact the City of Lenoir Planning Department to arrange for a site inspection/on-site hearing to discuss the violations. - Please contact the Code Compliance Officer - Robert Teague Call (828-757-2212) or email @ rteague@ci.lenoir.nc.us at your earliest convenience.

All violations that are cited during the inspection must be abated. Abatement of the violations must be performed in a specified amount of time that will be determined after the inspection. The inspector may order that dwelling units found to be in violation be vacated and closed until repairs are completed.

The following code violations have been determined: If further inspection is required, additional violations may be added.

Housing Sec. 10-2(b) Abandoned

The dwelling is abandoned and unsecure, creating conditions detrimental to public health and safety as described in Sec. 10-2(b)

Housing Sec. 10-56 Unfit for Human Habitation

Every dwelling and unit used as human habitation, or held out for use as a human habitation, must comply with all of the minimum housing standards and all requirements of the NC Building Code. No person shall occupy as owner-occupant, or let to another for occupancy or use a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards for fitness for human habitation and all requirements of the NC Building Code.

Housing Sec. 10-59 structure

Evidence of structural issues (Sec. 10-59)

Housing Sec. 10-63 Electric

Unsafe electrical system (receptacles and lights); or no electricity.

Housing Sec. 10-65 Infestation

Conditions allowing insects, rodents, or other infestations.

The property listed above has been reported to the City for not meeting the minimum housing standards as specified in the City of Lenoir Code of Ordinance. An inspection of the dwelling is required and all violations that are cited during the inspection must be abated. Abatement of the violations must be performed in a specified amount of time that will be determined at the conclusion of the inspection. If no violations are discovered at the time of the inspection than the case will be closed and no further action will be required. Please contact me to schedule a time for an onsite hearing.

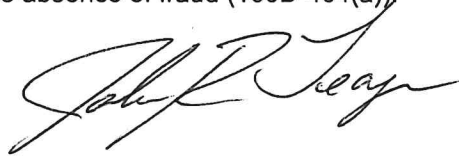
Stage of the Investigation: **Initial Investigation**

Failure to comply will result in actions including, but not limited to, civil penalties, posting, and/or city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Please remember this is an official notice, and your immediate attention is required. You may file an appeal to the Board of Adjustment within 30 days, specifically by 09/06/2024 Appeals carry an administrative cost as determined by the City Council.

I, Robert Teague, am providing the notice of violation and certifying for the City of Lenoir that this notice is deemed conclusive in the absence of fraud (160D-404(a)).

Sincerely

A handwritten signature in black ink, appearing to read "Robert Teague", written in a cursive style.

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



Minimum Housing Violation and Order to Abate

05/08/2025

FERNANDEZ NELLY GLADYS JULCA
18202 WILLOW CREEK WAY APT N
MONTGOMRY VLG, MD 20886

Certified Mail: 9589 0710 5270 2289 2904 52

To: **FERNANDEZ NELLY GLADYS JULCA**, owner(s) of property located at **311 SHARON AV**
(NCPIN:2759192535) in the City of Lenoir, North Carolina.

Condition of structure is determined as: **Deteriorated**

Stage of the Investigation: **Final Determination**

The following code violations have been determined:

Housing Sec. 10-2(b) Abandoned

Housing Sec. 10-56 Unfit for Human Habitation

Housing Sec. 10-59 structure

Housing Sec. 10-63 Electric

Housing Sec. 10-65 Infestation

This is the final determination for the property listed above. The property was found to be in violation of the City of Lenoir Minimum Housing standards. .

Abatement of these violations must occur in a specified amount of time, not to exceed **30 days** from receipt of this notice. Failure to abate the violations within the time specified will result in action including, but not limited to, civil penalties and abatement of the violations by the City. If you have questions concerning the violations or the abatement process, please contact me, Matt Bolick Call 828-757-2212 or email @ Matt.bolick@lenoirnc.gov.

Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

Please remember this is an official notice, and your immediate attention is required. You may file an appeal to the Board of Adjustment within 30 days, specifically by 06/12/2025. Appeals carry an administrative cost as determined by the City Council.

I, Matt Bolick am providing the order to abate and certifying for the City of Lenoir that this notice is deemed conclusive in the absence of fraud (160D-1208(a)).

Section 1-15 Civil and Criminal Penalties

(c) Violation of any provision of this Code not corrected as provided in this letter shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.



Final Notice of Abatement

06/12/2025

FERNANDEZ NELLY GLADYS JULCA
18202 WILLOW CREEK WAY APT N
MONTGOMRY VLG, MD 20886

Certified Mail: 9589 0710 5270 2289 2907 80

Re: Minimum Housing Determination
311 SHARON AV, LENOIR, NC 28645
Parcel: 2759192535

FERNANDEZ NELLY GLADYS JULCA

This letter is to inform you that you have failed to comply with an order of the housing inspector to abate minimum housing violations at 311 SHARON AV within 60 days of 06/12/2025.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

This letter is to inform you that the housing inspector has submitted an ordinance to City Council, as described above. The City Council will consider this ordinance for adoption at the 07/15/2025 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir.

I, Matt Bolick am providing the order to abate and certifying for the City of Lenoir that this notice is deemed conclusive in the absence of fraud (160D-1208(a)).

Sincerely,

Matt Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



This map is NOT of land survey quality and is NOT suitable for such use.

Owner		FERNANDEZ NELLY GLADYS JULCA	Deferred Val		\$0	Caldwell County	
		18202 WILLOW CREEK WAY APT N MONTGOMRY VLG, MD 20886	Assessed Val		\$70,800		
			Calc Acreage		0.411228	00.00750.0150.03 mi 00.01250.0250.05 km	
			Land Units		75 (FF)		
Acct Number		159369	Legal Desc		BK 1897 PG 491 YR 2016 ST 0.00	September 10, 2025	
Parcel ID		09 49 3 4	Plat Ref		00000/00000		
NCPIN		2759192535	Property Addr		311 SHARON AV		

Notice of Order to Demolish

The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 311 Sharon Ave. on Tuesday October 21, 2025 at the City/County Chambers 905 West Ave, Lenoir at 6pm. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Nelly Gladys Julca Fernandez and any other persons having or claiming an interest in the property 311 Sharon Ave NW, Lenoir NC 28645 NC Pin 2759192535 be present for the City Council meeting at the date listed above.

- I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
- II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.
- III. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as specified in Chapter 10, of the Code of Ordinance of the City of Lenoir.
- IV. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.

Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212

News-Topic

123 Pennton Avenue
Lenoir, N.C. 28645

www.newstopicnews.com

CLASSIFIED

Call to place an ad: 828-610-8220

YARD SALE	MERCHANDISE	MERCHANDISE
\$25⁰⁰	\$24⁰⁰	\$48⁰⁰
10 Lines 3 Days	5 Lines 1 Weeks	5 Lines 4 Weeks
Ad must be prepaid.	Includes Caldwell Weekly & Website	Includes Caldwell Weekly
	Not commercial Additional \$5.00 for photo or border	Not commercial Additional \$5.00 for photo or border

0900 LEGALS

Notice of Order to Demolish
The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 118 Plymouth Rd. SE on Tuesday October 21, 2025 at the City/County Chambers 905 West Ave, Lenoir at 6pm. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Dwight Eugene Hickman and Debra Hickman and any other persons having or claiming an interest in the property 118 Plymouth



0900 LEGALS

Road SE, Lenoir NC 28645 NC Pin 2759194516 be present for the City Council meeting at the date listed above.
I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.
III. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as spe-

0900 LEGALS

cified in Chapter 10, of the Code of Ordinances of the City of Lenoir.
IV. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.
Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212
Oct. 14, 16, 2025

0900 LEGALS

cified in Chapter 10, of the Code of Ordinances of the City of Lenoir.
V. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.

0900 LEGALS

VI. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as specified in Chapter 10, of the Code of Ordinances of the City of Lenoir.
III. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.
Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212
Oct. 14, 16, 2025

0900 LEGALS

NOTICE OF ADMINISTRATION
2025 E 500450
Having qualified as Administrator of the Estate of Steven Douglas Scholz in Caldwell County, NC, this is to notify all persons having claims against the Estate to present them to the undersigned on or before December 30, 2025, or this notice will be pleaded in bar of their recovery. All persons indebted to said Estate, please make immediate payment.
Mary Luann Scholz,
Administrator
Karen R. Carnegie, Attorney
350 George Washington Highway N
Chesapeake, Virginia 23325
Sept. 30, Oct. 7, 14, 21, 2025

Classifieds
Get The Job Done



Photo from 2024



Photo from 2024



Photo from 2024



Photo from 2024



Photo from 2025



Rear Porch Rot



Photo from 2025 Floor Collapse



Photo from 2025 Floor collapse



Photo from 2025



Photo from 2025

USPS Tracking®

FAQs >

Tracking Number:

Remove X

9589071052700031558461

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to a neighbor as requested at 2:42 pm on August 12, 2024 in MONTGOMERY VILLAGE, MD 20886.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Neighbor as Requested

MONTGOMERY VILLAGE, MD 20886

August 12, 2024, 2:42 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Feedback

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

USPS Tracking[®]

FAQs >

Tracking Number:

Remove X

9589071052702289290452

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to a neighbor as requested at 1:51 pm on May 15, 2025 in MONTGOMERY VILLAGE, MD 20886.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Neighbor as Requested

MONTGOMERY VILLAGE, MD 20886

May 15, 2025, 1:51 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus[®]



Product Information



See Less ^

Track Another Package



Feedback

Tracking Number:

Remove X

9589071052702289292210

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to a neighbor as requested at 2:40 pm on September 15, 2025 in MONTGOMERY VILLAGE, MD 20886.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Neighbor as Requested

MONTGOMERY VILLAGE, MD 20886

September 15, 2025, 2:40 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Feedback

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

CITY OF LENOIR**COUNCIL ACTION FORM:****October 21, 2025**

- I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 118 Plymouth Drive.
- II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
- III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.
- IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Planning Director: _____

Hannah Williams

AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owners of this dwelling, **Dwight Eugene Hickman and Debra Hickman**, have been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on November 21, 2022 and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation: the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **118 Plymouth Road**
Lenoir, North Carolina
Parcel-ID 09133 1 15
NCPIN 2758934516

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS 160D-1203.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160D-1203 (7).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Adopted this the 21st day of October 2025.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**Lauren Hartley
CITY CLERK**

APPROVED AS TO FORM:

**Timothy J. Rohr
CITY ATTORNEY**

Minimum Housing Violation Affidavit
(118 Plymouth Road)

I, Matthew Bolick affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 118 Plymouth Road. NCPIN: 2758934516. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief

Date

Matthew Bolick

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that _____ personally appeared before me on the ____ day of October, 2025 and signed the above Affidavit ad hid free and voluntary act and deed.

Notary Public

Owner: Dwight Eugene Hickman & Debra Hickman
 Property: 118 Plymouth Road
 NC Pin: 2758934516
 Minimum Housing Violation Timeline

The following information was provided by City Housing Inspector Matthew Bolick

- **November 23, 2022.** On this day the initial minimum housing violation/hearing notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. The owner failed to contact the housing inspector and the certified letter was returned.
Certified Mail No. 7021 1970 0001 6845 9640
- **November 6, 2024.** On this day the second minimum housing violation/order to abate notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Second minimum housing letter determined that the structure was unfit for human habitation and a danger to the public health, safety, morals, and general welfare of the City's inhabitants. Due to that ruling the structure must be demolished and removed from the property. Neither the certified letter or first class letter was returned. The owner failed to contact the housing inspector.
Certified Mail No. 9589 0710 5270 0031 5481 89
- **September 10, 2025.** Notification was mailed to the owner informing them that the housing inspector will be submitting an ordinance to City Council for the demolition of the dwelling located at 118 Plymouth Rd. The City Council will consider this ordinance for adoption at the October 21, 2025 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the demolition of the dwelling will begin after November 3, 2025. All fees accumulated from the demolition will be placed as a lien on the property.
Certified Mail No. 9589 0710 5270 2289 2922 03
- **September 11, 2025.** On this day the property was posted with the Minimum Housing Initial Letter, Minimum Housing Violation/Order to Abate Letter, and Final Notice Letter.
- **October 2025.** In accordance with the City of Lenoir Code of Ordinance a Notice of Order to Demolish was submitted in the Lenoir News Topic. The ad requested that any person having or claiming an interest in the property be present for the City Council meeting. The ad was submitted and ran once a week for two consecutive weeks. Ad published on Thursday October 9, 2025 and Thursday October, 16, 2025.
- At this time it is requested that an ordinance be passed for the demolition of the dwelling at 118 Plymouth Rd SE. Demolition will take place after November 3, 2025 and all fees accumulated will be placed as a lien on the property.

CITY MANAGER
SCOTT E. HILDEBRAND



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons
CITY COUNCIL
J.T. BEAL
K. GREER
T.H. PERDUE
J.L. PERKINS
R. PRESTWOOD
D.F. STEVENS
C.D. THOMAS

November 23, 2022

HICKMAN DWIGHT EUGENE HICKMAN DEBRA
302 Kristen Ln #12
Hudson, NC 28638

Certified Mail: 7021 1970 0001 6845 9640
Case # 20220161

MINIMUM HOUSING VIOLATION AND HEARING NOTICE

To: **Dwight E Hickman and Debra Hickman** the owner(s) of property located at **118 Plymouth Rd (NC PIN: 2758934516)** in the City of Lenoir, North Carolina.

The property listed above has been reported to the City of Lenoir for violations of the City's Minimum Housing ordinance. In its current condition, the dwelling is unfit for human habitation, and is creating conditions detrimental to public health and safety.

As the legal owner(s), you have **ten (10) days** to contact the City of Lenoir Planning Department to arrange for a site inspection/on-site hearing to discuss the violations. Please contact the Code Compliance Officer Robert Teague at (828-757-2212) or rteague@ci.lenoir.nc.us at your earliest convenience.

All violations that are cited during the inspection must be abated. Abatement of the violations must be performed in a specified amount of time that will be determined after the inspection. The inspector may order that occupied dwelling units found to be in violation be vacated and closed until repairs are completed.

The following code violations have been determined: If further inspection is required, additional violations may be added.



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200
www.cityoflenoir.com

Housing Sec. 10-56 Unfit for Human Habitation
Every dwelling and unit used as human habitation, or held out for the use as a human habitation, must comply with all of the minimum housing standards and all requirements of the NC Building Code. No person shall occupy as owner-occupant, or let to another for occupancy or use a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards for fitness for human habitation and all requirements of the NC Building Code.

Housing sec. 10-59 Structural Condition
Evidence of structural issues.

Housing Sec. 10-61 Plumbing
The dwelling has inadequate plumbing, lack of potable water, and/or lack of proper sewage disposal system.

Housing Sec. 10-62 Heat
Lack of sufficient heating system to heat all habitable rooms during ordinary winter conditions.

Housing Sec. 10-63 Electric
Unsafe electrical system (receptacles and lights); or no electricity.

Housing Sec. 10-64 Ventilation
Lack of adequate ventilation or lack of working windows

Housing Sec. 10-60 Unsafe
Evidence of unsafe/unsanitary maintenance.

Stage of the investigation Initial Investigation ●

Failure to comply will result in actions including, but not limited to, civil penalties, posting of the property as Unfit for Human Habitation, and/or city abatement, the cost of which will be added as a lien on the property. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.785.0000
Email: rteague@ci.lenoir.nc.us



CITY OF LENOIR

PLANNING & COMMUNITY DEVELOPMENT

Minimum Housing Violation and Order to Abate

11/06/2024

HICKMAN DWIGHT EUGENE HICKMAN DEBRA
118 PLYMOUTH RD
LENOIR, NC 28645

Certified Mail: 9589 0710 5270 0031 5481 89

To: HICKMAN DWIGHT EUGENE HICKMAN DEBRA, owner(s) of property located at 118 PLYMOUTH RD
(NCPIN: 2758934516) in the City of Lenoir, North Carolina.

Condition of structure is determined as: Dilapidated

Stage of the Investigation: Final Determination

The following code violations have been determined:

- Housing Sec. 10-56 Unit for Human Habitation
- Housing Sec. 10-59 structure
- Housing Sec. 10-60 unsafe
- Housing Sec. 10-61 plumbing
- Housing Sec. 10-62 heat
- Housing Sec. 10-64 Ventilation
- Zoning, Accessory Structure
- Zoning, Dwelling Violation

This is the final determination for the property listed above. The property was found to be in violation of the City of Lenoir Minimum Housing standards. In order to abate the violations all structures on the property must be removed/demolished.

Abatement of these violations must occur in a specified amount of time, not to exceed 60 days from receipt of this notice. Failure to abate the violations within the time specified will result in action including, but not limited to, civil penalties and abatement of the violations by the City. If you have questions concerning the violations or the abatement process, please contact me at 828-757-2212 or at rteaigue@ci.lenoir.nc.us.

Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

Please remember this is an official notice, and your immediate attention is required. You may file an appeal to the Board of Adjustment within 30 days, specifically by 12/06/2024. Appeals carry an administrative cost as determined by the City Council.

I, Robert Teague am providing the order to abate and certifying for the City of Lenoir that this notice is deemed conclusive in the absence of fraud (16OD-1208(a)).

Section 1-15 Civil and Criminal Penalties

(c) Violation of any provision of this Code not corrected as provided in this letter shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

Sincerely



Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



Final Notice of Abatement

09/10/2025

HICKMAN DWIGHT EUGENE HICKMAN DEBRA
118 PLYMOUTH RD
LENOIR, NC 28645

Certified Mail: 9589 0710 5270 2289 2922 03

Re: Minimum Housing Determination
118 PLYMOUTH RD, LENOIR, NC 28645
Parcel: 2758934516

HICKMAN DWIGHT EUGENE HICKMAN DEBRA

This letter is to inform you that you have failed to comply with an order of the housing inspector to abate minimum housing violations at 118 PLYMOUTH RD within 60 days of 11/23/2023.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

This letter is to inform you that the housing inspector has submitted an ordinance to City Council, as described above. The City Council will consider this ordinance for adoption at the 10/21/2025 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir.

I, Matt Bolick am providing the order to abate and certifying for the City of Lenoir that this notice is deemed conclusive in the absence of fraud (160D-1208(a)).

Sincerely,

Matt Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



Notice of Order to Demolish

The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 118 Plymouth Rd. SE on Tuesday October 21, 2025 at the City/County Chambers 905 West Ave, Lenoir at 6pm. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Dwight Eugene Hickman and Debra Hickman and any other persons having or claiming an interest in the property 118 Plymouth Road SE, Lenoir NC 28645 NC Pin 2758934516 be present for the City Council meeting at the date listed above.

- I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
- II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.
- III. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as specified in Chapter 10, of the Code of Ordinance of the City of Lenoir.
- IV. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.

Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212

News-Topic

123 Pennton Avenue
Lenoir, N.C. 28645

www.newstopicnews.com

CLASSIFIED

Call to place an ad: 828-610-8220

YARD SALE	MERCHANDISE	MERCHANDISE
\$25⁰⁰	\$24⁰⁰	\$48⁰⁰
10 Lines 3 Days	5 Lines 1 Week	5 Lines 4 Weeks
Ad must be prepaid.	Includes Caldwell Weekly & Website	Includes Caldwell Weekly
	Not commercial Additional \$5.00 for photo or border	Not commercial Additional \$5.00 for photo or border

0900 LEGALS

Notice of Order to Demolish
The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 118 Plymouth Rd. SE on Tuesday October 21, 2025 at the City/County Chambers 905 West Ave, Lenoir at 6pm. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Dwight Eugene Hickman and Debra Hickman and any other persons having or claiming an interest in the property 118 Plymouth



0900 LEGALS

Road SE, Lenoir NC 28645 NC Pin 2759194516 be present for the City Council meeting at the date listed above.
I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.
III. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as spe-

0900 LEGALS

cified in Chapter 10, of the Code of Ordinances of the City of Lenoir.
IV. The undersigned complaining of the above-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.
Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212
Oct. 14, 16, 2025

0900 LEGALS

cified in Chapter 10, of the Code of Ordinances of the City of Lenoir.
V. The undersigned complaining of the above-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.
I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.

0900 LEGALS

III. The undersigned complaining of the above-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.
Matthew Bolick
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212
Oct. 14, 16, 2025

0900 LEGALS

NOTICE OF ADMINISTRATION
2025 E 500450
Having qualified as Administrator of the Estate of Steven Douglas Scholz in Caldwell County, NC, this is to notify all persons having claims against the Estate to present them to the undersigned on or before December 30, 2025, or this notice will be pleaded in bar of their recovery. All persons indebted to said Estate, please make immediate payment.
Mary Luann Scholz,
Administrator
Karen R. Carnegie, Attorney
350 George Washington Highway N
Chesapeake, Virginia 23325
Sept. 30, Oct. 7, 14, 21, 2025

Classifieds
Get The Job Done





Photo from 2024



Photo from 2025



Photo from 2025

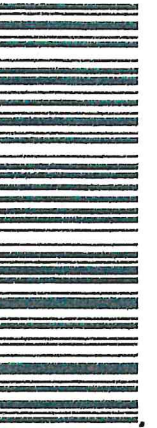




Photo from 2025

CITY OF LENOIR
P. O. BOX 958
LENOIR, N.C. 28645-0958

79



7021 1970 0001 6845 9640

GREENSBORO NC 274
28 NOV 2022 PM 5



US POSTAGE
ZIP 28601 \$007.82
02 4W
0000373342 NOV 25 2022

HICKMAN DWIGHT EUGENE HICKMAN
DEBRA

302 Kristen Ln # 12

LENOIR, NC 28645-0958

RETURN TO SENDER
UNABLE TO FORWARD
RECORD TO SENDER

NIXIE

274 DC 1

0011/29/22

RETURN TO SENDER
UNABLE TO FORWARD

DC 28645095858

*2180-0435-28-57



Remove X

Tracking Number:

9589071052700031548189

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Tracking Not Available

Tracking is not available for this item. This may be because the tracking number is invalid; USPS has not yet received payment; USPS has not yet received the item; the item does not include tracking; or other reasons.

Track Another Package

Feedback

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Tracking Number:

Remove X

9589071052702289292203

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item could not be delivered on October 2, 2025 at 2:08 pm in LENOIR, NC 28645. It was held for the required number of days and is being returned to the sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

- Unclaimed/Being Returned to Sender
LENOIR, NC 28645
October 2, 2025, 2:08 pm
- Reminder to Schedule Redelivery of your item
September 20, 2025
- See All Tracking History

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates 

USPS Tracking Plus® 

Product Information 

See Less ^