Agenda

Town of Rose Hill

Board of Commissioners

Regular Meeting
6 pm
September 8, 2026
Rose Hill Conference Room
103 SE Railroad Street

Call to Order: Mayor Davy C. Buckner

Invocation: Mayor Davy C. Buckner will ask a Board Member to give the invocation

Pledge of Allegiance: Mayor Davy C. Buckner lead the Pledge of Allegiance

I. PUBLIC HEARING RELATED TO COMMUNITY DEVELOPMENT BLOCK GRANT – NEIGHBORHOOD FUNDING (CDBG-NR) FUNDING FOR PROJECT IN THE COMMUNITY

After opening and hearing public comment(s) and closing the public hearing the Board may vote on approving or disapproving the Resolution for the Town of Rose Hill Application for CDBG-NR Funding

A. Consider Approving Resolution for the Town of Rose Hill Application for CDBG-NR Funding

II. PUBLIC HEARING RELATED TO ZONING MAP AMENDMENT REQUEST FOR A 0.851 ACRE PORTION OF TAX PARCEL # 11-1955 FROM INDUSTRIAL 1 TO RESIDENTIAL 1

After opening and hearing public comment(s) and closing the public hearing the Board may vote on approving or disapproving the amendment requests as follows:

A. Consider Acceptance of Reasonableness Statement for Zoning Request From I-1 to R-1

B. Consider Adoption of Ordinance to Amend the Town of Rose Hill's Zoning Map of a 0.851 Acre Portion of Tax Parcel #11-1955

III. Consent Agenda

A. Approval of Meeting Minutes, August 11, 2026, Regular Meeting Minutes
B. Consider Declaring Police Patrol Vehicle Surplus and Authorizing Advertising for Sale to Highest Bidder on GOV Deals: 2016 Dodge Charger: Mileage 121,722: VIN #54003

APPROVAL OF AGENDA

PUBLIC COMMENT
(Limit 3 minutes per individual)

IV. Action Agenda

A. Update on 2024 CDBG-NR Program: Tammy Daniels with Adams Company
B. Consider Award of FY 26-27 Resurfacing Contract to Lowest Bidder: Legion Asphalt: $240,723.51
C. Consider Approval of Budget Amendment #3: Powell Bill: $4,200
D. Consider Participation in Pre-Regulatory Landfill Program (PRLF) Through North Carolina Department of Environmental Quality (NCDEQ)

V. Reports

A. Administration
   - Monthly Budget vs. Actual
   - Cash Report
B. Police
C. Fire
D. Public Works
E. Recreation
F. Tax Collection
G. Attorney

VI. Comments from Mayor and Board

VII. Adjourn

NOTICE OF PUBLIC HEARING
APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING
TOWN OF ROSE HILL

Notice is hereby given that the Rose Hill Board of Commissioners will hold a public hearing on September 8, 2026 at 6:00 p.m. in the Rose Hill Town Hall (103 SE Railroad St, Rose Hill, NC 28458) concerning the intention of Rose Hill to apply for funding under the CDBG NR program.

The proposed project will include housing rehabilitation/reconstruction, park facilities and general administration. CDBG activities are proposed scattered throughout the Town of Rose Hill. The total estimated CDBG program cost is $950,000 which represents 100% of the total program costs.

Citizens will be given the opportunity to provide oral and written comment on Rose Hill's use of CDBG funds. All interested citizens from Rose Hill are encouraged to attend. Formal written views and proposals concerning the Community Development Block Grant application process which are submitted to the Mayor will be responded to within ten (10) calendar days.

For additional information or to submit written comments, send to Rose Hill Town Administrator, 103 SE Railroad St, PO Box 8, Rose Hill, NC 28458 or call 910-289-3159. Comments should be received by September 7, 2026.

If you plan to attend and require special accommodations because of a disability or physical impairment, please contact Rose Hill Town Hall at 910-289-3159 (TDD 800-735-2962) at least 2 business days prior to the hearing.

This information is available in Spanish or any other language upon request. Please contact Angela Smith, Town Administrator, at 910-289-3159 or at 103 SE Railroad St, Rose Hill, NC for accommodations for this request.

Esta información está disponible en español o cualquier otro lenguaje a petición. Por favor, póngase en contacto con Angela Smith, Town Administrator, en 910-289-3159 o en 103 SE Railroad St, Rose Hill, NC de alojamiento para esta solicitud.

Davy Buckner, Mayor
EEO Employer
Equal Housing Opportunity

RESOLUTION FOR THE TOWN OF ROSE HILL

APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE 2026 CDBG NR PROJECT

WHEREAS, the Rose Hill Board of Commissioners has previously indicated its desire to assist in community development efforts for housing within the community; and,

WHEREAS, the Commissioners have held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit LMI families with housing needs and parks/recreation; and,

WHEREAS, the Commissioners wish the Town to pursue a formal application for Community Development Block Grant funding to benefit LMI families with housing needs; and will invest monies in the amount of $4,000.00 into the project as committed to in the application.

WHEREAS, the Commissioners certify it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the Town's Board of Commissioners that the Town is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant to benefit LMI families with housing needs and parks/recreation.

Adopted this the 8th day of September, 2026 in Rose Hill, North Carolina.

_____

Davy Buckner, Mayor

ATTEST:

_____

Town Administrator

Town of Rose Hill

Home of the World's Largest Frying Pan

Rezoning Request
Staff Report

Title: Rezoning Request Submission for a ± .851 Acre Portion of Tax Parcel 11-1955

Purpose: To Review and Consider a Rezoning Request from I-1 (Industrial 1) to R1 (Residential 1)

Background: The Town received a rezoning request from Richard Hawes (subdivider) and owner of property Chris Herring of ± 0.851 acres of tax parcel 11-1955 (as shown on survey plat) to be rezoned from I-1 to R1.

CHANGES AND AMENDMENTS

§ 154.270 GENERALLY.

The Town Board may amend, supplement, or change the text regulations and zoning district lines according to the following procedures.
(Ord. passed 7-9-1985; Ord. passed 5-10-1990; Ord. passed 3-9-1999; Ord. passed 8-10-1999; Ord. passed 3-14-2000; Ord. passed 5-9-2000; Ord. passed 9-9-2003; Ord. passed 9-13-2005; Ord. passed 9-12-2006; Ord. passed 6-29-2021)

Comment: The Town Board has the legal authority to effectuate changes.

§ 154.271 ACTION BY THE APPLICANT.

(A) *Initiation of amendments.* Proposed changes or amendments may be initiated by the Town Board, Planning Board, Board of Adjustment, town officials, or by one or more owners or lessees of property within the area proposed to be changed or affected.

Comment: The proposed change was initiated by Richard Hawes and Chris Herring.

(B) *Application.* An application for any change or amendment shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be applied, and the names and addresses of the owner or owners of the property. The application shall be filed not later than three weeks prior to the meeting at which the application is to be considered.

Comment: The attached application contained a description of the proposed property to be changed from I-1 to R1. The application was filed on June 30, 2026.

(C) *Fee.*
(1) Zoning text amendment: $250 plus $.80/letter or $8.50/certified letter;
(2) Rezoning request (less than 50 different property owners affected): $250 plus $.80/ letter or $8.50/certified letter; and
(3) Rezoning request (50 or more different property owners affected): $1,185 plus $.80/letter or $8.50/certified letter.
(Ord. passed 7-9-1985; Ord. passed 5-10-1990; Ord. passed 3-9-1999; Ord. passed 8-10-1999; Ord. passed 3-14-2000; Ord. passed 5-9-2000; Ord. passed 9-9-2003; Ord. passed 9-13-2005; Ord. passed

9-12-2006; Ord. passed 12-9-2008; Ord. passed 6-29-2021; Ord. passed 7-1-2026)

Comment: Applicable fee was paid on June 30, 2026 in the amount of $250.00 plus mailing costs.

§ 154.272 AMENDING THE ORDINANCE.

(A) *Hearing with published notice.* Before adopting, amending, or repealing any provision of this chapter, the Town Board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than ten days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

(B) No amendment to this chapter or the Zoning Map of the Town of Rose Hill that down-zones property shall be initiated nor is it enforceable without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the town. For purposes of this prohibition, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways: (a) by decreasing the development density of the land to be less dense than was allowed under its previous usage; or (b) by reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.
(Ord. passed 6-29-2021)

Comment: This meeting constitutes the "legislative hearing". The notice (attached) was published in the Duplin Journal on August 27 and September 3, 2026, meeting the above referenced requirements.

§ 154.273 NOTICE OF HEARING ON PROPOSED ZONING MAP AMENDMENTS.

In addition to the published notice requirements of § 154.272 herein, the following shall apply to Zoning Map amendments:

(A) *Mailed notice.* The owners of affected parcels of land and the owners of all parcels of land abutting that parcel of land shall be mailed a notice of the hearing on a proposed zoning map amendment by first-class mail at the last addresses listed for such owners on the county tax abstracts. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor. This notice must be deposited in the mail at least ten but not more than 25 days prior to the date of the hearing.

Comment: The owners of all parcels abutting the requested parcel were notified by mail on August 17, 2026.

(B) *Optional notice for large-scale Zoning Map amendments.* The first-class mail notice required under division (A) of this section shall not be required if the Zoning Map amendment proposes to change the zoning designation of more than 50 properties, owned by at least 50 different property owners, and the town elects to use the expanded published notice provided for in this division. In this instance, the town may elect to make the mailed notice provided for in division (A) of this section or, as an alternative, elect to publish notice of the hearing as required by G.S. § 160D-601, provided that each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners who reside outside of the newspaper circulation

area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions of division (A) of this section.

(C) *Posted notice.* When a Zoning Map amendment is proposed, the town shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed Zoning Map amendment, a posting on each individual parcel is not required but the town shall post sufficient notices to provide reasonable notice to interested persons.
(Ord. passed 6-29-2021)

Comment: The posted notice was set on property with a proper sign as required.

§ 154.274 CITIZEN COMMENTS.

If any resident or property owner in the town submits a written statement regarding a proposed amendment, modification, or repeal to a zoning regulation, including a text or map amendment, to the Clerk to the Town Board at least two business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Town Board. If the proposed change is the subject of a quasi-judicial proceeding under G.S. § 160D-705 or any other statute, the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting.
(Ord. passed 6-29-2021)

Comment: As of today's date, no written statements have been filed with the Town Clerk.

§ 154.275 ACTION BY THE BOARD OF ADJUSTMENT.

(A) *Zoning amendments.* All proposed amendments to this chapter or Zoning District Map shall be submitted to the Board of Adjustment for review and comment. If no written report is received from the Board of Adjustment within 30 days of referral of the amendment to that Board, the Town Board may act on the amendment without the Board of Adjustment report. The Town Board are not bound by the recommendations, if any, of the Board of Adjustment.

(B) *Plan consistency.* When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Adjustment shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Board of Adjustment shall provide a written recommendation to the Town Board that addresses plan consistency and other matters as deemed appropriate by the Board of Adjustment, but a comment by the Board of Adjustment that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a Zoning Map amendment qualifies as a "large-scale rezoning" under § 154.273(B) the Board of Adjustment statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

(B) *Separate Board required.* Notwithstanding the authority to assign duties of the Planning Board to the Town Board as provided by G.S. Ch. 160D, the review and comment required by this section shall not be assigned to the Town Board and must be performed by a separate Board.

Comment: All Board of Adjustment/Planning Board members were submitted the proposed amendment for review and comment on July 13, 2026. Support was received from all five (5) members with no objections.

(D) *Reapplication for amendment.* Application for amendment in this chapter shall only be permitted once within any 12-month period. The Town Board, by three-fourths vote of its total membership, may waive this restriction if it finds any emergency exists.
(Ord. passed 6-29-2021)
§ 154.276 ACTION BY THE TOWN BOARD.
(A) When adopting or rejecting any zoning text or map amendment, the Town Board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the Town Board that at the time of action on the amendment the Town Board was aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive plan. If a Zoning Map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a Zoning Map amendment qualifies as a "large-scale rezoning" under § 154.273(B), the Town Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.
(B) *Additional reasonableness statement for rezonings.* When adopting or rejecting any petition for a Zoning Map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the Governing Board. This statement of reasonableness may consider, among other factors: (i) the size, physical conditions, and other attributes of the area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a Zoning Map amendment qualifies as a "large-scale rezoning" under § 154.273(B), the Town Board statement on reasonableness may address the overall rezoning.
(C) *Single statement permissible.* The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement.
(Ord. passed 6-29-2021)

Comment: Please refer to attached "reasonableness statement". Also, please refer to the Ordinance amending the zoning map for the Town Board's approval/disapproval/modification.

Summary: The subject property is abutting property currently zoned Industrial 1. The rezoning request is consistent with the Comprehensive Land Use Plan and Future Land Use Map. The Planning Board recommends to the Board of Commissioners that the ± .0851 acres of Parcel 11-1955 be rezoned from Industrial 1 to Residential 1.

Staff Recommendations: Staff recommends the Town Board approve the rezoning request.

Date Received: ~~4-28-26~~ 6-30-26

TOWN OF ROSE HILL
GENERAL REZONING APPLICATION

A complete application is required to begin processing of this application. A complete application includes:

1. A General Rezoning application;
2. A list of the adjacent property owners (including those across the street) including property owner(s) name and mailing address; and
3. The required fee per the Town of Rose Hill's Code of Ordinances.

APPLICANT INFORMATION:

Name: Richard G. Hawes

Mailing Address: PO Box 1330 Hampstead, NC 28443

Email: rghawes@yahoo.com Phone: 910-381-0967

PROPERTY OWNER INFORMATION:

Property Owner: CHRIS HOBANS

Mailing Address: 205 E. Center St Rose Hill, NC 28458

Email: ChrisAherring at yahoo. com Phone: 910-271-4640

PROPOSED PROJECT INFORMATION:

Tax Parcel #: 11-1955 - Portion Total Acreage: Approx 35,000± sq. ft. (0.8± acres)

Current Zoning District: I-1 Proposed Zoning District: R-1 *See survey

REQUIRED RESPONSES

1. Applicant statement and evidence that the proposed rezoning is in the interest of the general public and not solely to benefit the property owner or applicant (use additional pages, if necessary):

I request this property/parcel to be rezoned to R-1 for residential purposes. There is currently a shortage of housing in Rose Hill as well as available lots for residential construction in town. Furthermore, the adjoining tract and the tracts across from this parcel all have residential housing. To this extent, it would be a benefit to the general public if this parcel could be rezoned to R-1.

Date Received: 6-30-26

2. Applicant statement that the uses permitted in the proposed zoning district will not adversely affect property values or the health, safety, morals, or general welfare of the residents of the area. For General Rezoning applications, the response shall include no description of a specific proposed use for the property. (use additional pages, if necessary):

If rezoned to R-1, there is no adverse effect to the town or its residents. In contrast, it would increase the value of the surrounding property since it is mostly residential anyway. In addition, it would help increase the tax base for the towns operations.

Property Owner Consent (Down Zoning) per NCGS 160D-601:

Owners are required to give consent if the proposed rezoning is a downzoning. A downzoning is one that does either of the following:

1. Decreases the development density of the land to be less dense than was allowed under its previous usage. Example, rezoning from CB to R-2 or Commercial/Industrial/Office to Residential districts.
2. Reducing the permitted uses of the land that are specified in the Town of Rose Hill Code of Ordinances to fewer uses than were allowed under its previous usage. Example the proposed new district allows less uses permitted by right than the previous district.

I, Chris Herring (Owner Name), do hereby give my consent to Richard G. Hawes (Applicant Name) to apply for this rezoning that results in a downzoning.

APPLICATION SUBMITTAL SIGNATURES:

I hereby consent to the contents of this application and acknowledge the responses contained herein are correct to the best of my knowledge.

Person Representing Application:

Signature: Richard G. Hawes

Printed Name: Richard G. Hawes

Date: 4-28-26

Signature of Property Owner(s):

Signature: Chris Herring

Printed Name: Chris Herring

Date: 4-28-26

DocuSign Envelope ID: D468F017-160E-45B5-8DE0-F7AE8190106C

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Town of Rose Hill Subdivision Ordinance and is hereby approved for recording in the Office of the Register of Deeds of Duplin County, North Carolina.

Signature: Angela Smith
Subdivision Administrator, Town of Rose Hill — 6/25/2026 Date

STATE OF NORTH CAROLINA — DUPLIN COUNTY

I, Kaylin Burgess, REVIEW OFFICER of Duplin County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

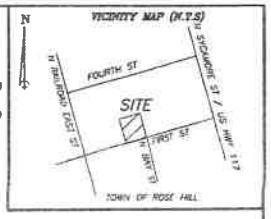
Signed by: Kaylin Burgess
Review Officer — 6/25/2026 Date

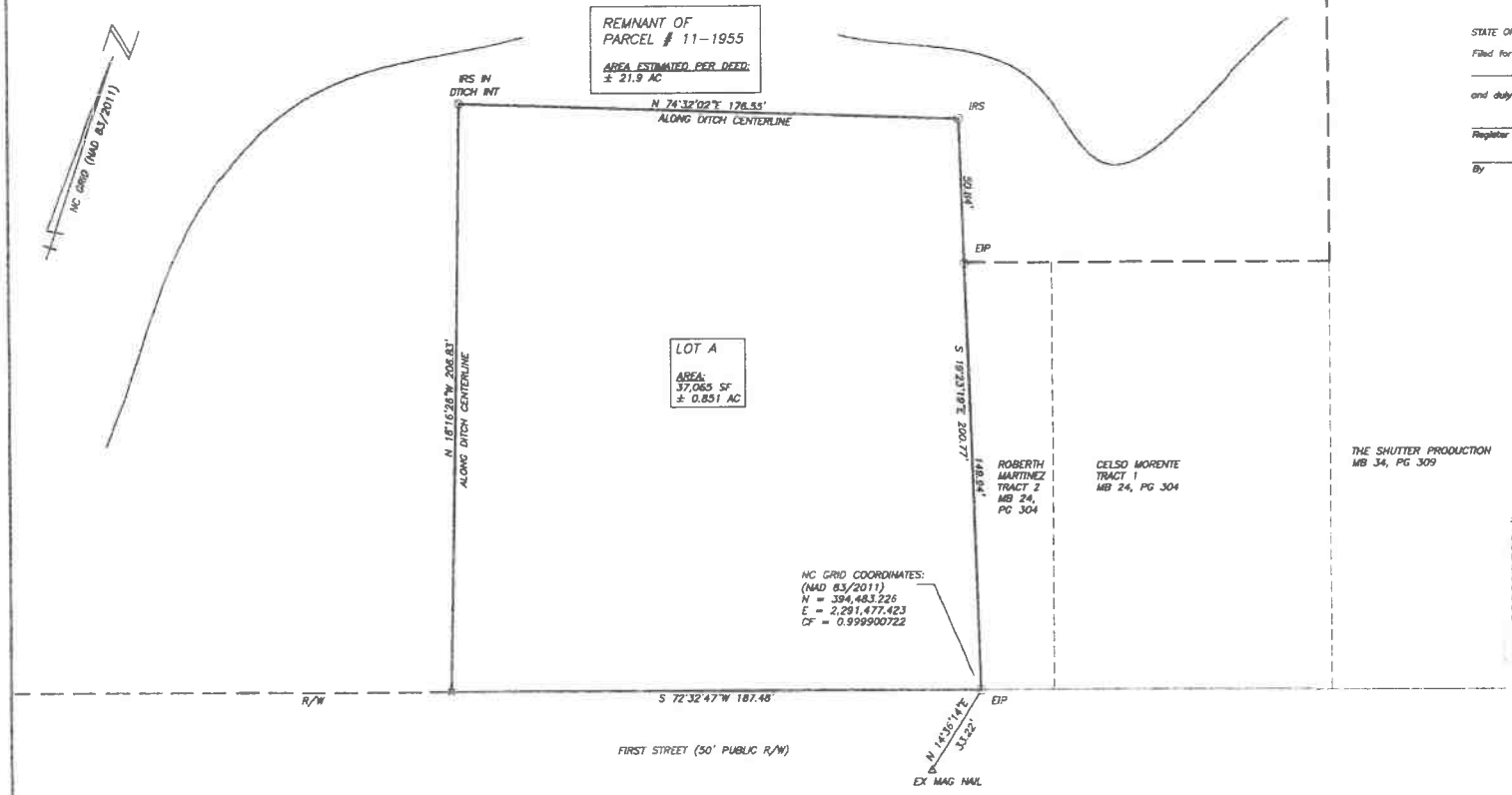
SURVEY REFERENCE:
A PART OF DEED BOOK 1983 AT PAGE 296, MAP BOOK 34 AT PAGE 309, DUPLIN COUNTY REGISTRY

NOTES:
1. FEMA FLOOD MAP INFORMATION: DUPLIN COUNTY FLOOD INSURANCE RATE MAP: MAP No.: 3720233800J FLOOD ZONE: X MAP EFFECTIVE DATE: FEBRUARY 16, 2006.
2. CORNERS ARE MARKED AS NOTED ON MAP.
3. ALL BEARINGS ARE NC GRID (NAD 83/2011).
4. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
5. AREA COMPUTED BY THE COORDINATE METHOD.
6. PARCEL ZONED I-1 PER TOWN OF ROSE HILL.

LEGEND:
- EIR (EXISTING/FOUND IRON ROD)
- EIP (EXISTING/FOUND IRON PIPE)
- IPS (IRON PIPE SET)
- EIS (EXISTING/FOUND IRON STAKE)
- IRS (IRON ROD SET)
- CMS (CONCRETE MONUMENT SET)
- ECM (EXISTING/FOUND CONC MONUMENT)
- NCGS GRID MONUMENT
- ERRS (EXISTING/FOUND RAILROAD SPIKE)
- RRSS (RAILROAD SPIKE SET)
- NAC (NAIL AND CAP FOUND)
- PK\MAG (PK OR MAG NAIL SET)
- EPK (EXISTING/FOUND PK NAIL)
- EOA (EXISTING/FOUND OLD AXLE)
- PROPERTY LINE
- NON-SURVEYED LINE
- EASEMENT LINE

VICINITY MAP (N.T.S.)





STATE OF NORTH CAROLINA — DUPLIN COUNTY

Filed for registration on the:

_____ day of _____, 20____, at _____ (A.M.\P.M.)

and duly recorded in Map Book _____ *at Page* _____.

_____
Register of Deeds

_____
By

Certificate of Ownership

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the County of Duplin and that I hereby adopt this plan of subdivision with my own free consent and install and construct all improvements in this subdivision in compliance with the minimum design requirements as established by the Duplin County Unified Development Ordinance. I also accept responsibility for maintenance, ownership or dedication of any easements created by this plat unless responsibility of such is deeded to a new party.

Developed by: _____ — 6/25/2026 Date
Owner

OWNERS:
CHRISTOPHER A. HERRING
SCOTT P. HERRING
PO BOX 4067
SURF CITY NC 28445

I, Elizabeth F. Smith, PLS, certify that this plat is of a survey that creates a subdivision within the area of a county or municipality that has an ordinance that regulates parcels of land.

_____
Elizabeth F. Smith
Professional Land Surveyor
NC License No. L-5195
6/25/2026

NORTH CAROLINA PROFESSIONAL SEAL L-5195 LAND SURVEYOR ELIZABETH F. SMITH

CERTIFICATE OF SURVEY AND ACCURACY (G.S. 47-30)

I, Elizabeth F. Smith, PLS, certify that this plat was drawn under my supervision from an actual survey made under my supervision from information found in Duplin County Registry, as noted hereon, that the ratio of precision as calculated is 1:10,000+; that the boundaries not surveyed are shown as dashed lines as noted; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original Signature, License Number, and Seal,

the 25th *day of* June *AD, 2026.*

_____
Elizabeth F. Smith
Professional Land Surveyor
NC License No. L-5195

NORTH CAROLINA PROFESSIONAL SEAL L-5195 LAND SURVEYOR ELIZABETH F. SMITH

ELIZABETH F. SMITH, PLS
ROBERT H. GOSLEE & ASSOCIATES, PA
LAND SURVEYORS - LAND PLANNERS
317 E. MURRAY ST. / P.O. BOX 133
WALLACE, NORTH CAROLINA 28466
NC CORPORATE LICENSE No. C-1167
910-285-4210
Email: beth@goslеesurveying.com

MAP OF DIVISION
FOR

RICHARD HAWES

OF A PART OF DUPLIN COUNTY PARCEL # 11-1955
OWNED BY CHRISTOPHER A. HERRING AND SCOTT P. HERRING

TOWN OF ROSE HILL -
ROSE HILL TOWNSHIP - DUPLIN COUNTY - NORTH CAROLINA
SCALE: 1" = 30' *JUNE 22, 2026*

20 0 20 40 60
GRAPHIC SCALE - FEET

FILE No. DF-1400_124

TOWN OF ROSE HILL
PUBLIC HEARING
ZONING MAP AMENDMENT REQUEST
FOR A ± 0.851 ACRE PORTION OF
TAX PARCEL 11-1955 FROM I-1 TO R-1

Day: Tuesday
Date: September 8, 2026
Time: 6:00 pm
Place: Rose Hill Town Hall: Main Meeting Room,
103 SE Railroad Street, Rose Hill, NC 28458

Purpose: To hear and record public comments regarding the Zoning Map Amendment Request for a ± 0.851 acre portion of tax parcel 11-1955 from I-1 to R-1. This map amendment may be adopted after the public hearing at this regular meeting of the Town Board, held for legislative purposes.

The Zoning Map Amendment Request is available for public inspection in the office of the Rose Hill Town Clerk, located in the Town Hall during normal business hours, Monday-Friday from 8:00 am until 5:00 pm.

Written comments on this request will be accepted two (2) business days prior to September 8, 2026 to the Town Clerk, Mrs. Keren Parker.

Any person needing special accommodations, please contact 910-289-3159 at least 48 hours prior to the meeting.

Angela Smith
Town Administrator

Run August 27th and September 3rd

Reasonableness Statement for Chris Herring (owner) and
Richard Hawes (subdivider)
Zoning Request From I-1 to R-1

- The property is located in an area with a mix of residential and light industrial which will make the Residential 1 District compatible with the surrounding development.
- The rezoning request is consistent with the Town of Rose Hill's Comprehensive Plan.
- Residential 1 allows single family structures which will not negatively impact the surrounding area; in contrast it will enhance the surrounding area.
- The parcel size is roughly 37,000 sf which is supported by the future land use, medium high density.

Angela Smith
Town Administrator

Town of Rose Hill

Home of the World's Largest Frying Pan

An Ordinance to Amend the Town of Rose Hill's Zoning Map for a ± 0851 Acre Portion of Tax Parcel 11-1955

WHEREAS, the above-referenced request has been met with the requirements contained in Section 154-270 through Section 154-276; and

WHEREAS, "reasonableness statement" is approved as satisfactory in all respects.

NOW, THEREFORE, BE IT ORDAINED, that a ± 0851 acre portion of tax parcel 11-1955 as described in attached survey plat be downzoned from I-1 to R-1.

Davy Buckner
Davy Buckner, Mayor

Attest: Keren Parker
Keren Parker, Town Clerk

TOWN OF ROSE HILL CORPORATE SEAL (SEAL) SEAL EST. 1875 DUPLIN COUNTY, N.C.

103 SE Railroad Street, P.O. Box 8, Rose Hill, N.C. 28458
Telephone 910-289-3159 ~ Fax 910-289-4461
www.townofrosehillnc.com

DocuSign Envelope ID: DA68F617-16CC-55B7-80E0-F7AEB3D106C

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Town of Rose Hill Subdivision Ordinance and is hereby approved for recording in the Office of the Register of Deeds of Duplin County, North Carolina.

Angela Smith — 6/25/2026
Subdivision Administrator, Town of Rose Hill — Date

STATE OF NORTH CAROLINA — DUPLIN COUNTY

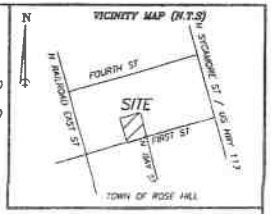
I, Kaytlin Burgess, REVIEW OFFICER of Duplin County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording

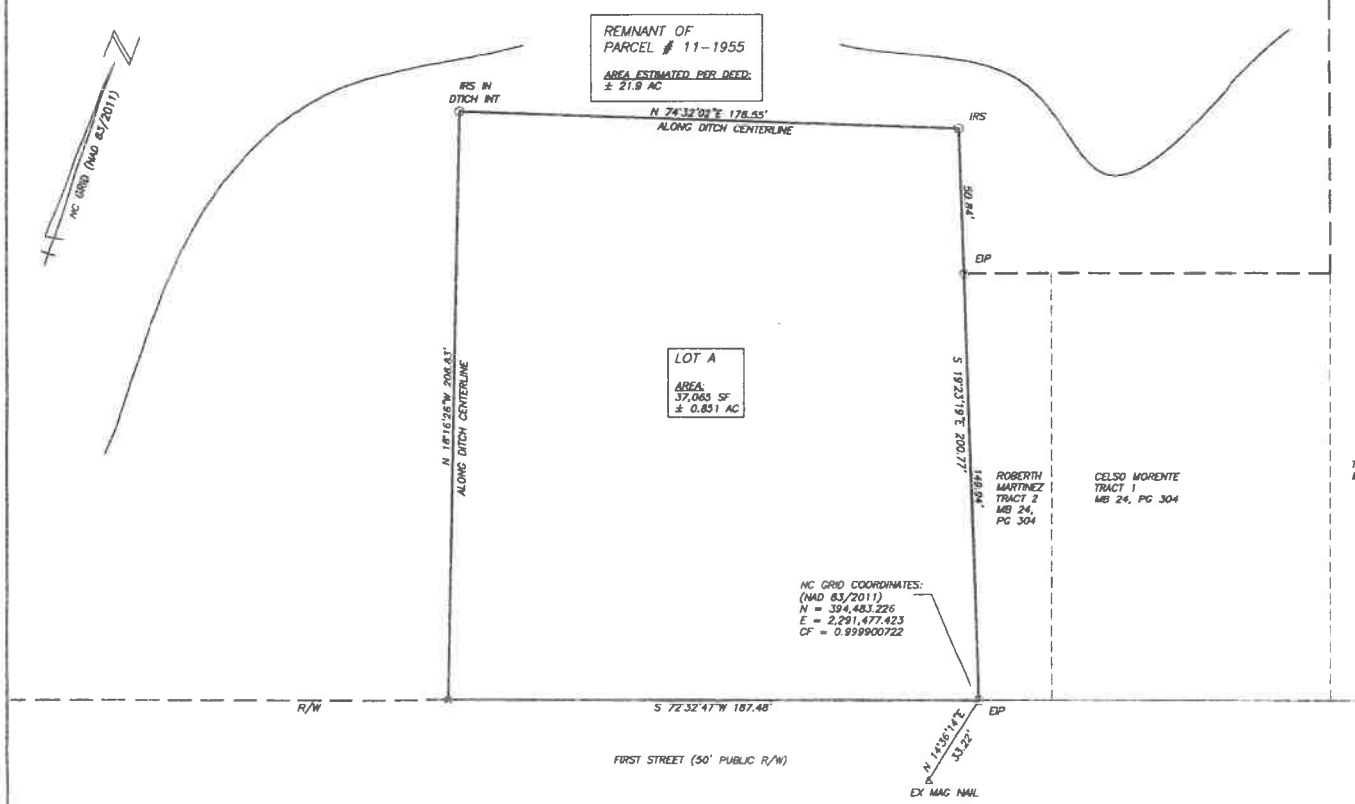
Kaytlin Burgess — 6/25/2026
Review Officer — Date

SURVEY REFERENCE:
A PART OF DEED BOOK 1985 AT PAGE 298,
MAP BOOK 34 AT PAGE 309,
DUPLIN COUNTY REGISTRY

NOTES:
1. FEMA FLOOD MAP INFORMATION:
   DUPLIN COUNTY FLOOD INSURANCE RATE MAP:
   MAP No.: 3720038800J FLOOD ZONE: X
   MAP EFFECTIVE DATE: FEBRUARY 16, 2006.
2. CORNERS ARE MARKED AS NOTED ON MAP.
3. ALL BEARINGS ARE NC GRID (NAD 83/2011).
4. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS
5. AREA COMPUTED BY THE COORDINATE METHOD.
6. PARCEL ZONED I-1 PER TOWN OF ROSE HILL.

LEGEND:
- EIR (EXISTING/FOUND IRON ROD)
- EIP (EXISTING/FOUND IRON PIPE)
- IPS (IRON PIPE SET)
- EIS (EXISTING/FOUND IRON STAKE)
- IRS (IRON ROD SET)
- CMS (CONCRETE MONUMENT SET)
- ECM (EXISTING/FOUND CONC MONUMENT)
- NCGS GRID MONUMENT
- ERRS (EXISTING/FOUND RAILROAD SPIKE)
- RRSS (RAILROAD SPIKE SET)
- NAIC (NAIL AND CAP FOUND)
- PK\NAIC (PK OR NAIC NAIL SET)
- EPK (EXISTING/FOUND PK NAIL)
- EOA (EXISTING/FOUND OLD AXLE)
- PROPERTY LINE
- NON-SURVEYED LINE
- EASEMENT LINE

VICINITY MAP (N.T.S.)




STATE OF NORTH CAROLINA — DUPLIN COUNTY

Filed for registration on the:

_____ day of _____, 20_____, at _____ (A.M.\P.M.)

and duly recorded in Map Book _____ at Page _____.

Register of Deeds

By

Certificate of Ownership

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the County of Duplin and that I hereby adopt this plan of subdivision with my own free consent and install and construct all improvements in this subdivision in compliance with the minimum design requirements as established by the Duplin County Unified Development Ordinance. I also accept responsibility for maintenance, ownership or dedication of any easements created by this plat unless responsibility of such is divested to a new party.

Owner — 6/25/2026 — Date

OWNERS:
CHRISTOPHER A. HERRING
SCOTT P. HERRING
PO BOX 4067
SURF CITY NC 28445

I, Elizabeth F. Smith, PLS, certify that this plat is of a survey that creates a subdivision within the area of a county or municipality that has an ordinance that regulates parcels of land.

Elizabeth F. Smith
Professional Land Surveyor
NC License No. L-5195
6/25/2026

NORTH CAROLINA PROFESSIONAL SEAL L-5195 LAND SURVEYOR ELIZABETH F. SMITH

CERTIFICATE OF SURVEY AND ACCURACY (G.S. 47-30)

I, Elizabeth F. Smith, PLS, certify that this plat was drawn under my supervision from an actual survey made under my supervision from information found in Duplin County Registry, as noted hereon, that the ratio of precision as calculated is 1:10,000+; that the boundaries not surveyed are shown as dashed lines as noted; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original Signature, License Number, and Seal,

the 25th day of June AD, 2026.

Elizabeth F. Smith
Professional Land Surveyor
NC License No. L-5195

NORTH CAROLINA PROFESSIONAL SEAL L-5195 LAND SURVEYOR ELIZABETH F. SMITH

ELIZABETH F. SMITH, PLS
ROBERT H. GOSLEE & ASSOCIATES, PA
LAND SURVEYORS - LAND PLANNERS
317 E. MURRAY ST. / P.O. BOX 133
WALLACE, NORTH CAROLINA 28466
NC CORPORATE LICENSE No. C-1167
910-285-4210
Email: beth@goslеesurveying.com

MAP OF DIVISION
FOR
RICHARD HAWES
OF A PART OF DUPLIN COUNTY PARCEL # 11-1955
OWNED BY CHRISTOPHER A. HERRING AND SCOTT P. HERRING

TOWN OF ROSE HILL -- ROSE HILL TOWNSHIP - DUPLIN COUNTY - NORTH CAROLINA
SCALE: 1" = 30' JUNE 22, 2026

20 0 20 40 60
GRAPHIC SCALE - FEET

FILE No. DF-1400_124

Minutes
Town of Rose Hill

Board of Commissioners
Regular Meeting
August 11, 2026
Town of Rose Hill Conference Room
103 SE Railroad Street

Call to Order: Mayor Davy C. Buckner called the meeting to order at 6:00 p.m.

In attendance were Mayor Davy C. Buckner, Mayor Pro Tempore Billy Wilson, Commissioner Perry Tully, Commissioner Tashau Mathis, Commissioner Adam Quinn; Commissioner Calvin Miller was absent. Also in attendance were Town Administrator Angela Smith, Town Clerk Keren Parker, Deputy Clerk Vickie Dixon, Town Attorney Kenn Thompson, Public Works Director Blake Parker, and Police Chief Michael Tyndall. There was a total of eleven (11) citizens in the audience.

Invocation: Commissioner Perry Tully gave the invocation

Pledge of Allegiance: Mayor Davy C. Buckner lead the Pledge of Allegiance

PUBLIC HEARING RELATIVE TO APPLICATION FOR CDBG FUNDING FOR PROJECT IN ROSE HILL

Mayor Davy C. Buckner opened the Public Hearing at 6:01 p.m.

*** Commissioner Calvin Miller arrived at the meeting at 6:02 p.m. ***

Ms. Tammy Daniel's with The Adams Company briefly presented herself to the board. Ms. Tammy informed the board that two public hearings are required to be held to apply for a Community Development Block Grant (CDBG). The second public hearing will be held on September 8th, 2026, at 6:00 p.m. to define the town's proposal "scope of work" for the upcoming CDBG grant. Project activities must benefit at least 51% of low – and moderate – income persons for an area-wide project benefit, and 100% low – and moderate – income households are defined as those households with income at 80% or less of the median income of the county. Activities that may be eligible for CDBG-NR funding include housing rehabilitation, clearance, relocation, substantial rehabilitation, reconstruction, replacement, emergency repairs, housing development, and/or public facilities activities, and administration of the above activities. The maximum amount that the Town can be awarded is $950,000. Applications are due by October 13th, 2026.

Commissioner Adam Quinn asked Ms. Tammy if previous applicants that were not selected to benefit from the CDBG-NR 2024 grant, will have to reapply to potentially benefit for this next one. Ms. Tammy informed the Board that they would have to reapply.

There were no public comments; Mayor Davy C. Buckner closed the Public Hearing at 6:05 p.m.

Approval of Agenda

Motion: Commissioner Adam Quinn
Seconded: Commissioner Billy Wilson
Vote: Yes 5 No 0

Public Comment
(Limit 3 minutes per individual)

Mrs. Rhonda Rivenbark informed the board that the "Christmas by the Tracks" event, is tentatively scheduled for December 5th, 2026. The parade will begin at 6:00 p.m. followed by a street dance, with no vendors or pre-parade entertainment. Mrs. Rhonda is seeking participation from Rose Hill businesses and the public.

I. Consent Agenda

A. Approval of Meeting Minutes, July 14, 2026

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Billy Wilson
Vote: Yes 5 No 0

II. Action Agenda

A. Presentation From Gabriel Guerra, Community Outreach Coordinator with Habitat for Humanity

Mr. Jeremy Albers from Cape Fear Habitat for Humanity presented himself before the board. Mr. Jeremy Albers expressed his gratitude to Commissioner Adam Quinn for his commitment to the people of Rose Hill and for his willingness to explore solutions that can make home ownership and repairs attainable for more families here in Rose Hill.

For nearly four decades, Habitat has partnered with local families to build strength, stability, and self-reliance through affordable homeownership. Mr. Gabriel Guerra from Cape Fear Habitat for Humanity briefly went over the qualifications for each program that if offered through Cape Fear Habitat for Humanity "Home Repair Program, Critical Home Repair Program, and ReStore".

B. Discussion: Neighborhood Revitalization Program Application and Funding (Adams Co.)

TA Smith informed the board that the Town of Rose Hill is currently enrolled in the Neighborhood Revitalization Program.

Commissioner Tashau Mathis asked Ms. Tammy if everything would be done the same as the current CDBG-NR grant. Ms. Tammy responded that it can, but it doesn't necessarily have to. Both housing and non-housing community development activities primarily benefiting low – and moderate – income individuals is accepted.

C. Consider Approval of Applying for CDBG Funding for Neighborhood Revitalization (NR) Program

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Billy Wilson
Vote: Yes 5 No 0

D. Consider Appointing an Individual to Establish a Housing Selection Committee so as to Select Applicants from the NR Program

TA Smith informed the Board that an individual would have to be appointed to form a selection committee. The committee would rate or score the applicants based on age, income and severity of need. A motion was made by Commissioner Tashau Mathis and seconded by Commissioner Billy Wilson to reappoint Town Administrator Angela Smith. Motion carried unanimously.

E. Discussion: Salary Survey and Potential Adjustments to Current Salaries: "What if Scenarios"

At last month's Board meeting, it was brought up that the Rose Hill Police officers may be receiving insufficient pay. TA Smith provided the Board with a salary survey of all full-time positions within the organization.

Commissioner Perry Tully stated that he believes that police officers need to be recognized, based on most recent state-level raises for state police and teachers. Mayor Davy C. Buckner acknowledged Commissioner Tully's concerns and noted that the town has discussed police pay extensively over the past few years. Mayor Buckner suggests revisiting the matter during next year's budget process and emphasized that all four departments—Administration, Police, Recreation, and Public Works—are valuable and important to the Town.

Commissioner Tashau Mathis stated that she is in full agreement taking care of the Town's employees. However, she noted that a budget work session is scheduled each year prior to the approval of the budget, during which the proposed budget is presented to the community and concerns can be addressed.

After some discussion, it was the consensus of the Board to look further into the details of this matter at the next budget work session.

F. Discussion and Approval of Selection of Streets for the Fiscal Year 26-27 Street Resurfacing Project

TA Smith provided the Board with a list of streets; each street was numbered based on priority. The current budget for FY 26-27 resurfacing project is $235,550. The project will be bid out by street segment, and the Town will fund the segments that can be completed within this year's budget, with any remaining segments deferred to the following year.

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Billy Wilson
Vote: Yes 5 No 0

G. Discussion: Wastewater Treatment Plant Upgrades and Potential Funding

Over the last year or so, various discussions have taken place regarding the wastewater treatment plant. The plant requires urgent upgrades, including the replacement of two screw pumps and clarifiers due to their age. Construction of a new catch basin is also needed. TA Smith stated that she, Public Works Director Blake Parker, and Wastewater Operator Carl Wheeler have met with engineers and representatives from USDA to discuss potential funding opportunities. The town can apply and hopefully get a grant as well as a loan. The process includes predevelopment planning, application submission, publication of a notice of intent to apply within 60 days of application submission, project bidding, and LGC approval and interim financing. The estimated cost provided last year was over $2.5 million, with the possibility of the cost increasing due to the time that has passed.

TA Smith also informed the Board that she was contacted by Representative Jimmy Dixon, who advised that the Town of Rose Hill will receive $85,000 through a directed grant for wastewater needs.

H. Consider Approval of Contract for Professional Services for Predevelopment Planning: Wastewater Treatment Plant Upgrades

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Tashau Mathis
Vote: Yes 5 No 0

I. Consider Approval of Budget Amendment #2: Wastewater: $30,000

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Tashau Mathis
Vote: Yes 5 No 0

J. Consider Approval of Ordinance Amendment to Chapter 54.21 When Water Rents Payable

At last month's meeting, the board instructed TA Smith and Attorney Kenn Thompson to draft a policy specifically addressing late payments due to returned checks. An amendment to the water ordinance (Chapter 54-21), clarifying payment and return check policies, was unanimously approved. The board directed that the updated language be posted publicly.

Approved
Motion: Commissioner Adam Quinn
Seconded: Commissioner Tashau Mathis
Vote: Yes 5 No 0

III. Report

A. Administration
- Rezoning Request: Setting a Public Hearing for September 8, 2026 – TA Smith informed the Board that a public hearing will be held on September 8, 2026, regarding a rezoning request for property located on First Street.
- Monthly Budget vs. Actual – TA Smith briefly went over the revenue/ expense summary for month ending July 31, 2026
- Cash Report – TA Smith provided the Board with a cash report.

B. Police – None.
C. Fire – Fire Chief Billy Wilson gave a brief verbal report
D. Public Works – None
E. Recreation – None
F. Tax Collection – Deputy Clerk Vickie Dixon stated that as of May 2026, 95.52% of property taxes have been collected
G. Attorney – None

IV. Comments from Mayor and Board

Mayor Davy C. Buckner expressed his gratitude to everyone who attended the meeting.

V. Adjourn

Time: 7:05 p.m.
Motion: Commissioner Adam Quinn
Seconded: Commissioner Tashau Mathis
Vote: Yes 5 No 0

Respectfully Submitted,

Keren Parker
Town Clerk

Town of Rose Hill

Home of the World's Largest Frying Pan

To: Mayor and Board
From: Angela Smith
Date: September 8, 2026
REF: Declaring Police Patrol Vehicle Surplus and Authorizing Advertising For Sale to Highest Bidder

Background:

This Vehicle: VIN # 2C3CDXAT6GH254003: 2016 Dodge Charger: Mileage 121,722

The reason this vehicle is recommended to be declared surplus is: the engine is gone and costs of repair deemed not advisable to put more money into it.

The Vehicle will be advertised for sale on GOV DEALS.

Recommendation: (Motion Required): We are recommending that this vehicle be declared surplus and that its sale be advertised and authorize sale to the highest bidder. We reserve the right to reject bids as well.

NOW THEREFORE BE IT

RESOLVED, that the Rose Hill Town Board of Commissioners approves declaring the above-referenced police patrol vehicle as surplus, and that it be openly advertised for sale on GOV DEALS, and its sale be approved to the highest responsible bidder with the provision that the Town reserves the right to reject any and all bids for any reason whatsoever.

Moved _____
Second _____
Vote: Yes No___

_____ _____
Town Clerk **Mayor**

103 SE Railroad Street, P.O. Box 8, Rose Hill, N.C. 28458
Telephone 910-289-3159 ~ Fax 910-289-4461
www.townofrosehillnc.com

Town of Rose Hill

Home of the World's Largest Frying Pan

To: Mayor and Board
From: Angela Smith
Date: September 8, 2026
REF: Implementation of the Resurfacing Program for FY 26-27 by Award of the Resurfacing Contract to Legion Asphalt: $240,723.51

Background: The following bids requests were sent out, received and opened as an informal bid at 3:01 pm on August 27, 2026 and the results are as follows:

Legion Asphalt Inc.....$240,723.51
Daniels, Inc.....$253,873.45
Barnhill Contracting Co.....$ No Bid
Fred Smith Company.....$ No Bid

The street(s) included are:

- E South Street-Elm to Charity
- Marshall Street
- N Elm Street-Blanchard to Ridge and Blanchard to Briarwood
- N Oak Street-Ridge to Blanchard
- N and S Maple Street
- S Oak Street-South to Charity
- S Pine Street-Church to Main and Main to Ridge

The total includes utility cuts, root removal and subgrade repair.

The proposed start date is October 1, 2026.

Recommendation: (Motion Required): Please award the FY 26/27 resurfacing contract to Legion Asphalt, Inc. in the amount of $240,723.51.

NOW THEREFORE BE IT

RESOLVED, by the Rose Hill Town Board of Commissioners that the Implementation of the Resurfacing Program for FY 26-27 by the award of the Resurfacing Contract to Legion Asphalt, Inc. in the amount of $240,723.51 **Be Approved**

Moved _____
Second _____
Vote: **Yes No**

_____ _____
Town Clerk **Mayor**

103 SE Railroad Street, P.O. Box 8, Rose Hill, N.C. 28458
Telephone 910-289-3159 ~ Fax 910-289-4461
www.townofrosehillnc.com

Town of Rose Hill

Home of the World's

FY 26-27 BUDGET ORDINANCE AMENDMENT #3: PB: $4,200

To: Mayor and Board
From: Angela Smith
Date: September 8, 2026
REF: FY 26-27 BUDGET ORDINANCE AMENDMENT #3: Powell Bill: $4,200

Background: This amendment will cover the additional costs associated with the street paving project, as the submitted bid(s) came in slightly over budget.

Recommendation: (Motion Required): That the following Budget Ordinance Amendment be approved.

Budget Ordinance Amendment #3
Powell Bill
Fiscal Year 2026-2027

BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of Rose Hill, North Carolina, that pursuant to North Carolina General Statute 159-15, the following budget ordinance amendment be made:

REVENUE

	Description	Increase/(Decrease)
11-3991-0000	Fund Balance Appr	$4,200

EXPENSE

11-5700-3520	Street Resurfacing	$4,200

Moved: _____
Seconded: _____
Vote: Yes No __

_____ _____

Town Clerk **Mayor**

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

August 28, 2026

Rose Hill, Town Of
PO Box 8
Rose Hill, NC 28458

RE: Notice of Pre-Regulatory Landfill & Access Request
Rose Hill Dump
PRLF ID # NONCD0000281
145 Lake Tut Rd/PIN # 239917106500
Rose Hill, Duplin County, NC

Dear Property Owner:

The North Carolina Department of Environmental Quality (NCDEQ), Division of Waste Management, Pre-Regulatory Landfill (PRLF) Program is writing to inform you that a Pre-Regulatory Landfill (PRLF) has been identified on your property.

A Pre-Regulatory Landfill (PRLF) is a location where unregulated waste disposal occurred prior to January 1, 1983. Because these sites were established before modern landfill regulations and environmental protection standards were in place, additional assessment is recommended to evaluate potential public health and environmental concerns associated with historical waste disposal activities.

The North Carolina General Assembly established the PRLF Program to assess and address potential environmental and public health hazards associated with unregulated disposal sites. Property owners who fully cooperate with the State in its assessment and remediation activities may receive these services at no cost to them, subject to the availability of program funding. The program is funded by a statewide solid waste disposal tax.

Participation in the PRLF Program provides several important benefits to property owners. Through the program, NCDEQ can delineate the boundary of the waste disposal area (WDA), evaluate whether contamination is migrating beyond the WDA boundary, assess potential risks to human health and the environment, and, when necessary, implement appropriate remedial measures. Participation in the PRLF Program will provide information needed to make informed decisions and the remedial action plan along with land use restrictions will help control and potentially reduce liability for you as the property owner.

Property owners who choose not to participate in the PRLF Program may not receive the benefits of State-funded assessment and remediation. Refusal to cooperate may result in the property owner being required to investigate and address environmental conditions associated with the landfill at their own expense. Limiting access may also hinder the State's ability to determine the nature and extent of contamination and could increase potential liability and future costs associated with the property. Depending on the landfill size and conditions, the cost to complete the assessment and implement corrective actions can be substantial.

As the owner of property containing a PRLF, you are responsible for contamination and waste associated with the landfill, particularly if contaminants migrate beyond your property boundaries or impact neighboring properties, groundwater, surface water, or other environmental resources.

To assist the PRLF Program in evaluating current site conditions, we request that you complete and return the enclosed forms:

1. Owner Permission for Property Access
2. Property Owner Consent to Land Use Restrictions
3. U.S. Army Corps of Engineers Access Authorization

These forms provide authorization for NCDEQ, PRLF Program independent contractor, and U.S. Army Corps of Engineers personnel to access your property to conduct a limited assessment. The consent to land use restrictions form is intended to provide notification and obtain your consent that before remediation could occur, land use restrictions would need to be recorded.

The limited assessment could include WDA delineation, landfill vapor evaluation, potable well sampling, and determining if there are any imminent health risks to people on the property or adjacent properties. Providing access is an important first step in allowing the PRLF Program to evaluate potential environmental concerns and determine whether additional assessment or remediation may be warranted.

Upon receipt of the completed access agreement, the PRLF Program may conduct a site visit. A Property Owner Questionnaire may be provided as a follow-up to gather additional information regarding current property conditions, land use, and site history. This information will assist NCDEQ in evaluating the property and determining appropriate next steps.

Please see the enclosed Fact Sheet document for additional information regarding the PRLF Program and the PRLF Program website at www.deq.nc.gov. Select Wast Management from the Division drop down, select Superfund Section, then select Pre-Regulatory Landfill Program.

If you have any questions, concerns, or would like additional information regarding the PRLF Program or this letter, please do not hesitate to contact the PRLF Program's independent contractor, Allison Stenger with Terracon at allison.stenger@terracon.com or (984) 202-7258. If you still have questions after contacting Allison Stenger with Terracon, please contact the

PRLF Project Manager, Jordan Brummal at 919-707-8619 or by e-mail, Jordan.brummal@deq.nc.gov.

A pre-addressed and stamped envelope is enclosed for your convenience, or you may submit the signed documents electronically at the following email: Kelly.barnett@terracon.com.

Thank you for your cooperation.

Attachments: Pre-Regulatory Landfill Program Property Access Policy
Owner Permission for Property Access
Property Owner Consent to Land Use Restrictions
U.S. Army Corps of Engineers Access Authorization
PRLF Fact Sheet

Pre-Regulatory Landfill Program Property Access Policy

Overview

Per § 130A-310.1, DEQ is required to develop and implement a program for locating, cataloguing, and monitoring all inactive hazardous substance or waste disposal sites in North Carolina. The Pre-Regulatory Landfill (PRLF) Program was established in 2007 to identify, assess, and remediate sites that accepted a wide range of waste types without regulatory oversight prior to January 1, 1983.

This policy will provide consistent guidelines for Pre-Regulatory Landfill (PRLF) Program project managers (PM) and Independent Contractors (ICs) requesting property owner access permission and management of properties that deny or rescind access permission or do not participate in the state-funded assessment or remedial action plan.

The PRLF Program will send letters to all PRLF owners, based on historic records available, informing them they have a landfill on their property that was operational prior to state regulations managing the disposal of solid waste. The letter will explain the PRLF Program, benefits of participation in the program, responsibility of owning a superfund site, and consequences and risk of not participating in the program. The letter will also request access to the properties and explain how the access will be utilized to conduct a limited assessment, waste delineation, landfill vapor evaluation, and potable well sampling to determine if there are any imminent risks associated with the landfill and to establish minimum information for risk prioritization.

Access Permission Letter

The PRLF Program has located and catalogued 668 landfills. Current landfill conditions, such as the number of developed parcels, occupied structures, and potable wells within 1,000 feet of the suspect waste boundary have been captured in the PRLF Program database. The risk priority scores, available on the program website, reflect the updated conditions at each landfill. Out of the 668 landfills, 419 landfills have one or more developed parcels within 1,000 feet of the suspect waste boundary and 249 landfills do not have developed parcels, occupied structures, or potable wells within 1,000 feet of the suspect waste boundary.

Initiating an assessment and delineating contamination at a PRLF site requires obtaining access permission from property owners that have the waste disposal area on their property or property owners that are impacted by contamination migrating beyond the delineated waste disposal area boundary. After being assigned a new site by the PRLF Program Supervisor, the PRLF PM can coordinate with the IC to identify the subject properties at each landfill and request access permission. Distribution of property owner access permission letters will be based on the current risk priority scores, highest to lowest.

The PRLF Comprehensive Access packet should be mailed via United States Postal Service (USPS) to the landfill property owners. If an email address is available, the letters should be sent via email in addition to the USPS hard copy mailing. The packet includes the following:

1. PRLF Property Owner Letter
2. Owner Permission for Property Access Form
3. Property Owner Consent to Land-Use Restrictions Form
4. U.S. Army Corps of Engineers Access Authorization Form

Property owner response is requested in 10 days. If the IC doesn't receive the signed forms within 10 business days of mailing the packet, resend the entire packet and use USPS tracking (return receipt – green card) and provide copies of the tracking information to the PRLF PM. If the second mailing attempt does not generate a response from the property owner in 10 business days, send the packet a third time using certified mail and provide copies of the certified tracking information to the PRLF PM. If the IC does not receive the access permission form from the property owner within 10 business days of accepting the certified packet, the property will be identified as a non-participating property. After three attempts to establish communication with a property owner and all three attempts resulted in no response or a decline to provide access permission, the property will be added to a non-participating list.

Once access permission is obtained from all or a portion of the property owners containing the waste disposal area, the next step is to send notification letters to surrounding property owners within 500 feet of the suspect waste disposal area. This notification informs the surrounding property owners that they live within 500 feet of a PRLF and assessment activities will be commencing. Refer to the PRLF Public Outreach Guidance document for details regarding notification procedures before initiating the assessment.

After the three rounds of letters have been mailed, the assessment will be initiated on all properties that provided access permission. As a starting point, the landfill boundary will be delineated and landfill gas probes installed. Additional assessment activities will be dependent on site conditions and based on a review with the PRLF Supervisor and IC.

Property Owner Failed to Respond or Declined Access Permission

The Property Owner Not Participating letter should be sent to the property owner if they did not respond to the three mailing attempts or declined to provide access permission. Depending on property ownership type, private single-family home versus rental or commercial property, additional steps may be required to manage non-participating property owners.

Private ownership – single family home

Single-family homeowners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

The Property Owner Not Participating letter will be mailed to the non-participating property owner annually to serve as a reminder they own a PRLF and to offer the limited assessment of their property.

Private ownership – rental or commercial property, **no assessment data**

Rental or commercial property owners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

A copy of the Property Owner Not Participating letter should also be mailed, via certified mail, to the County Health Director and local or county government officials and a copy loaded to Laserfiche. Include site specific information, such as occupied structures on top of waste and typical PRLF risks in the county health director/local or county government official letter.

Tenants of the rental or commercial property should be informed that the owner either declined access permission or did not respond to multiple requests. Send the tenants a copy of the Property Owner Not Participating letter, that was mailed to the owner, along with the PRLF fact sheet.

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

Private ownership – rental or commercial property, **partial assessment data**

Rental or commercial property owners that did not participate in the partial assessment would have received the Property Owner Not Participating letter informing them of the information outlined above for properties with no assessment data.

If the partial assessment data suggests an imminent hazard exists, explosive or hazardous conditions, along or around non-participating property boundaries, send the PRLF Access Request with Warrant Provision letter with a figure showing the sample points and results to inform the property owner of these unsafe conditions. The letter should also provide a brief description of completed work, request access permission to collect data on the non-participating property and explain that the PRLF Program may pursue obtaining an administrative warrant if the property owner doesn't provide access permission.

Local and state public health authorities and other pertinent local or county officials should receive a copy of the letter sent to the non-participating property owner informing them of properties with potentially unsafe conditions used by the public.

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

Owner Permission for Property Access

Rose Hill Dump
PRLF ID # NONCD0000281

Rose Hill, Town Of
145 Lake Tut Rd / PIN # 239917106500
Rose Hill, Duplin County, NC

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives to access my/our property to conduct an environmental investigation to evaluate potential public health and environmental hazards, resulting from past operations of an old unregulated landfill present on the property and, if necessary, to abate or control hazards posed by wastes and contaminated material by implementing a remedial action plan. The Division of Waste Management (Division) and its contractors are permitted to enter and have continued access to my Property.

Examples of remedial investigation and remedial action activities include, but are not limited to the following:

1. Installation of monitoring wells for groundwater and/or landfill gas;
2. Taking soil, groundwater, surface water and/or landfill gas samples as may be necessary;
3. Delineating the waste boundary; and
4. Response actions and installation of remedial action measures (landfill cover system) to mitigate any threats to human health or the environment.

I/We understand that:

- The Division and its contractors shall attempt to perform any activities at the Property in a manner that minimizes interference with use of the Property.

- All monitoring wells will be properly abandoned in accordance with applicable laws and regulations.

- The Division will make reasonable attempts to notify you at least 48 hours prior to entering the Property for any purpose. The Division or its contractors shall have immediate access to the property for situations that the Division determines to be an emergency.

- The Division's contractors shall have the authority to prepare, sign, file, and deliver any application, approval, or waste manifest on my behalf necessary to conduct assessment and remediation pursuant to this agreement.

- The Division's contractors shall, on my behalf, have the authority to negotiate and sign an encroachment agreement on a government or utility owned right of way if the encroachment agreement is necessary to conduct assessment and remediation pursuant to this agreement. The Contractor shall post the bond for the encroachment agreement if one is required.

I/We understand prior to any abatement activities, the proposed remedy for the site and associated land use restrictions required to make the property safe will be discussed with all property owner representatives.

Print _____
Name of Property Owner/Corporation (Print)

Signature _____
Name of Property Owner/Corporation (Signature)

Date _____

Email address _____

Phone number _____

Return to: Kelly Barnett, Project Geologist
Terracon Consultants, Inc.
2108 Capital Drive, STE 103
Wilmington, North Carolina 28405
Kelly.barnett@terracon.com

This document may not be modified.

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

Property Owner Consent to Land-Use Restrictions

Individual Ownership

I, _____ , owner of real property located at _____,
[name of owner] [street address]
_____, _____ County, North Carolina ("Property"), am agreeable to the imposition
[town or city] [County]
of Land-Use Restrictions ("Restrictions") on the Property partially or completely in lieu of remediation of hazardous substances to unrestricted-use levels. I understand and agree that I may refuse to consent upon review of the specific Restrictions proposed for the Property.

<check the boxes that apply>

☐ I am the sole owner of the Property holding fee simple title to the Property free, clear and unencumbered;

[or]

☐ There are non-financial encumbrances (utility easements, greenways, lease agreements, land-use restrictions, etc.) on the property. I have provided to the Superfund Section the names of all other persons that own an interest in or hold an encumbrance on the Property (Attachment A) and have notified such persons of my intention to record Restrictions on the Property;

and, [*if applicable]*

☐ I understand that if other interest in, or encumbrances on, the Property conflict with the proposed Restrictions, the persons who own such interests or hold such encumbrances must agree to subordinate such interest or encumbrances to the Restrictions. The subordination agreement[s] is [are] included as Attachment B for reference.

_____

Signature of Owner

_____

Signatory's name typed or printed

JOSH STEIN
Governor
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Secretary
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Director

NORTH CAROLINA
Environmental Quality

U.S. Army Corps of Engineers Access Authorization

Rose Hill Dump
PRLF ID # NONCD0000281

Rose Hill, Town Of
145 Lake Tut Rd /PIN # 239917106500
Rose Hill, Duplin County, NC

I/We hereby grant permission to the U.S. Army Corps of Engineers to access my/our property to conduct a wetland jurisdictional determination located at 145 Lake Tut Rd, Rose Hill, Duplin County, North Carolina (PIN # 239917106500) and;

Provide results of the study to the North Carolina Department of Environmental Quality, Division of Waste Management, Superfund Section, Special Remediation Branch, Pre-Regulatory Landfill Program and the assigned firm under contract with the State of North Carolina.

Print _____
Name of Property Owner/Corporation (Print)

Signature _____
Name of Property Owner/Corporation (Signature)

Date _____

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Pre-Regulatory Landfill (PRLF) Program

Before 1983, solid and hazardous waste regulations were almost non-existent. The General Assembly authorized the Pre-Regulatory Landfill Program in 2007 to identify, assess, and mitigate risks posed by pre-1983 landfills.

Statutory Authority: G.S. 130A-310.6

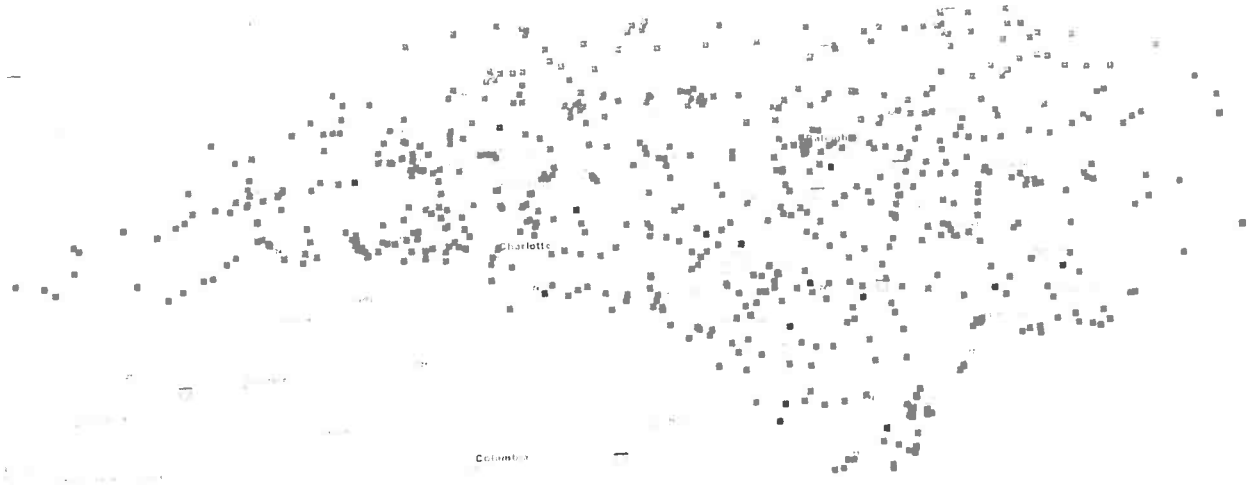
By statute, the PRLF Program only applies to municipal solid waste sites that ceased adding waste before 1983.

About the Program:

- Since 2009, $1/ton of a state-wide disposal tax is allocated to DEQ to manage engineering contractors that locate the sites, determine property and surrounding uses, and identify water supply wells and other routes of potential exposure.
- A risk-based approach is used to prioritize sites, covering the landfill with clean soil and recording land use restrictions.
- Successful reuse of PRLF properties include several parks, business, and a charter school.
- Cleanups have allowed residential development of adjacent properties.
- Staff have developed an inventory and prioritization system, collected GIS location information, and made all site records available online.

By the Numbers

- **688** PRLFs have been identified to date.
- **98** sites undergoing investigation or remediation activity.
- **43** sites have been fully remediated.
- **$1,936,349** – average remediation cost per site.
- **78%** of sites are wholly or partially owned by private parties.
- **370** acres of waste are now secured.
- **1,642** water supply wells sampled.
- **30** homes provided with alternate water supplies.



Pre-Regulatory Landfill Sites in North Carolina

Risk Posed by PRLFs

- Could contain hazardous wastes, medical wastes, and/or asbestos-containing materials.
- Contaminated soils and hazardous materials could be exposed.
- Hazardous vapors from contaminated groundwater and waste can migrate to homes, schools or businesses.
- Contaminated groundwater and eroding waste gets discharged to creeks.
- 80% of sites have residences, schools, churches, day cares, parks, and/or drinking water sources on or within 1,000 feet.
- Groundwater contamination has affected or could affect drinking water supplies.
- Could contain explosive levels of methane.
- Contaminated soils, hazardous wastes, and asbestos-containing materials can and have been taken and used as fill at other properties.

REVENUE V/S EXPENDITURES SUMMARY
MONTH ENDING AUGUST 31, 2026
% of FY=17%

GENERAL FUND

	Budgeted (Amended)	Encumbrance	Actual	% YTD	
Revenue					
Property Taxes/Motor Vehicle	$ 769,675.00		$ 18,064.11	2%	**
Sales Tax	$ 575,000.00		$ 104,998.76	18%	
Sales & Other Revenue	$ 174,538.00		$ 15,510.20	9%	
Fund Balance Appropriation	$ 13,000.00		$ 13,000.00	100%	
	$ 1,532,213.00		$ 151,573.07	10%	
Expenses					
Administration	$ 214,783.00		$ 38,019.23	18%	
Police	$ 597,800.00	$ 7,000.00	$ 94,199.58	16%	
Fire	$ 64,945.00		$ 32,472.50	50%	
Streets	$ 366,100.00		$ 52,780.18	14%	
Recreation	$ 230,535.00	$ 37,772.00	$ 20,452.14	9%	
Other	$ 58,050.00		$ 19,027.58	33%	
	$ 1,532,213.00	$ 44,772.00	$ 256,951.21	17%	

WATER & SEWER

Revenue					
Water Fees	$ 529,000.00		$ 103,096.21	19%	
Sewer Fees	$ 486,000.00		$ 80,452.54	17%	
Other Revenue	$ 54,950.00		$ 10,119.67	18%	
Fund Balance Appropriation	$ 30,000.00		$ 30,000.00	0%	
	$ 1,099,950.00		$ 223,668.42	20%	
Expenses					
Administration	$ 231,011.00		$ 38,783.24	17%	
Water	$ 339,695.00	$ 6,355.63	$ 89,644.69	26%	
Sewer/WWTP	$ 529,244.00	$ 6,570.25	$ 74,580.38	14%	
	$ 1,099,950.00	$ 12,925.88	$ 203,008.31	18%	

SANITATION

Revenue					
Collection Fees	$ 192,175.00		$ 32,998.23	17%	
Other Revenue	$ 1,400.00		$ 352.91	25%	
	$ 193,575.00		$ 33,351.14	17%	
Expenses					
Contracted Service	$ 145,500.00		$ 35,742.76	25%	
Other	$ 48,075.00		$ 7,772.04	16%	
	$ 193,575.00	$ -	$ 43,514.80	22%	

Notes: **Includes Prior Years, Interest & Motor Vehicle Tax

	Budgeted (Amended)	Actual	% YTD
NCDEQ GRANT			
Revenue			
NCDEQ-Grant Proceeds	$ 150,000.00	$ 150,000.00	100%
Expenses			
Asset Inventory Assessment (AIA) Study	$ 150,000.00	$ 148,179.94	99%
GOLDEN LEAF GRANT			
Revenue-$378949.48 was reimbursed due to budget amendment approved by Golden Leaf			
Grants Proceeds	$ 395,800.00	$ 378,949.48	96%
Town of Rose Hill	$ 162,602.00	$ 162,602.00	100%
	$ 558,402.00	$ 541,551.48	97%
Expenses			
Construction	$ 451,651.00	$ 451,651.48	100%
Contigency	$ 16,851.00	$ -	0%
Engineering	$ 59,900.00	$ 59,900.00	100%
Administrative	$ 30,000.00	$ 22,010.80	73%
	$ 558,402.00	$ 533,562.28	96%
CDBG-NR GRANT			
Revenue			
Grant Proceeds	$ 950,000.00	$ 59,438.32	6%
Expenses			
Rehabilitation Costs	$ 855,000.00	$ 133,465.51	16%
Adminstrative Costs	$ 95,000.00	$ 8,520.92	9%
	$ 950,000.00	$ 141,986.43	15%

NC Capital Management
Trust Accounts (Savings)

General Fund

Balance July 31, 2026	$ 2,355,083.10
Transfer In/Out	$ (47,327.54)
Interest Earnings	$ 7,130.27
Balance August 31, 2026	$ 2,314,885.83

Water Fund

Balance July 31, 2026	$ 1,120,286.29
Transfer In/Out	$ -
Interest Earnings	$ 3,410.93
Balance August 31, 2026	$ 1,123,697.22

Powell Bill

Balance July 31, 2026	$ 87,408.99
Transfer In/Out	$ -
Interest Earnings	$ 266.13
Balance August 31, 2026	$ 87,675.12

Asset Reserve (Water)

Balance July 31, 2026	$ 93,408.33
Transfer In/Out	$ -
Interest Earnings	$ 284.40
Balance August 31, 2026	$ 93,692.73

Cash in First Bank
As of August 31, 2026

$235,854.12