

**THE ERWIN BOARD OF COMMISSIONERS  
MARCH 2024 REGULAR WORKSHOP  
MONDAY, MARCH 25, 2024 @ 6:00 P.M.  
ERWIN MUNICIPAL BUILDING BOARDROOM**

**AGENDA**

- 1. MEETING CALLED TO ORDER**
  - A. Invocation
  - B. Pledge of Allegiance
  
- 2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
  
- 3. NEW BUSINESS**
  - A. 2023-2024 Resurfacing Bids **(Page 2)**
  - B. West K Street **(Page 4)**
  - C. BOA 2024-05 **(Page 24)**
  - D. SRO Reimbursement Agreement Amendment **(Page 26)**
  - E. ARP Grant Project Ordinance Amendment **(Page 34)**
  - F. Storm Water Grant Project Ordinance **(Page 40)**
  - G. Historical Bench Program **(Page 42)**
  - H. Community Building Renovation **(Page 55)**
  - I. Al Woodall Park Gym Roof **(Page 57)**
  - J. Red Hill Church Road Preliminary Plat **(Page 62)**
  - K. Accessory Dwelling Unit Text Amendment **(Page 79)**
  - L. Proposed Highway 421 Overlay District, ZT-2024-003 **(Page 83)**
  - M. Penalty Text Amendment **(Page 90)**
  - N. Text Amendments to Chapter 36 Definitions **(Page 93)**
  
- 4. GOVERNING COMMENTS**
  
- 5. ADJOURNMENT**

**ERWIN BOARD OF COMMISSIONERS**  
**REGULAR WORKSHOP MINUTES**  
**MARCH 25, 2024**  
**ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Randy Baker presiding held its Regular Workshop in the Erwin Municipal Building Board Room on Monday, March 25, 2024, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Randy Baker, and Commissioners Charles Byrd, Timothy Marbell, Alvester McKoy, Billy Turnage, and David Nelson.

The Board Member absent was: Mayor Pro Tem Ricky Blackmon.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Deputy Clerk Katelan Blount, Town Planner Dylan Eure, Town Attorney Tim Morris, and Town Engineer Bill Dreitzler were present.

Mayor Baker called the meeting to order at 6:00 P.M.

Commissioner Byrd led the Pledge of Allegiance.

Commissioner Nelson gave the invocation.

**AGENDA ADJUSTMENT/APPROVAL OF AGENDA**

Commissioner Byrd made a motion to approve the agenda as presented and was seconded by Commissioner Turnage. **The Board voted unanimously.**

**NEW BUSINESS**

**2023-2024 Resurfacing Bids**

Town Engineer Bill Dreitzler presented the submitted bids for the 2023-2024 Street Resurfacing, for North 16<sup>th</sup> Street, Duke Street, and portions of North 11<sup>th</sup> Street. There were three bids received. Highland Paving Company submitted a bid of \$116,250.00, Johnson Brothers Utility & Paving submitted a bid of \$107,474.00, and Barnhill Contracting Company submitted a bid of \$175,500.00.

Town Engineer Bill Dreitzler had budgeted, based upon the previous three years pricing, the amount of \$153,500.00.

Based upon the bids received, Town Engineer Bill Dreitzler recommends going forward with the selection of Johnson Brothers Utility & Paving for the award of this contract.

**The consensus of the Board was to place the award for Johnson Brothers Utility & Paving under Consent on the agenda for our Regularly Scheduled Meeting in April.**

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: 2023-2024 Street Resurfacing B

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Our Town Engineer Bill Dreitzler is here tonight to present the bids that we received for the 2023-2024 street resurfacing project. The bids came well within the proposed budget.



**TOWN OF ERWIN**  
Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140

**M-E-M-O-R-A-N-D-U-M**

**DATE:** March 21, 2024  
**TO:** Snow Bowden, Town Manager  
**FROM:** Bill Dreitzler, P.E., Town Engineer  
**RE:** 2023-2024 Street Resurfacing Bids

Mr. Bowden,

On Wednesday, March 20, 2024 at 1:00 PM bids were received for the 2023-2024 Street Resurfacing project. The following bids were received:

**Highland Paving Company, LLC: \$ 116,250.00**

**Johnson Brothers Utility & Paving: \$ 107,474.00**

**Barnhill Contracting Company: \$ 175,500.00**

Bids were received for the following locations (approximately 3,600 linear feet):

1. N 16<sup>th</sup> Street (West N Street through the Cul-de-Sac – approximately 1,000 linear feet)
2. N 11<sup>th</sup> Street (E H Street to near E L Street – approximately 1,700 linear feet)
3. Duke Street (approximately 900 linear feet)

I have completed my evaluation of the bids and recommend award to Johnson Brothers Utility & Paving in the amount of \$107,474.00. Our budget recommendation for the resurfacing was \$153,500, exclusive of any patching and/or pothole repairs. When awarded by the Board of Commissioners I will be scheduling a site meeting with the low bidder to assess patching requirements of the listed streets and obtain a quote for the additional work.

Sincerely,

William W. Dreitzler, P.E.  
Town Engineer

**MINUTES CONTINUED FROM MARCH 25, 2024****West K Street**

Town Engineer Bill Dreitzler stated that at the last meeting, he had recommended that the Town look at the tunneling option for the repairs on West K Street. This would help protect the water lines as well as the City of Dunn's water lines. Once he had spoken with Gradient, there were some additional requirements.

The original contract with Gradient was for the amount of \$45,115.00. To date, the Town has been billed for \$37,958.00, which puts the project at about 90% complete. The few tasks remaining on the open cut version of the repair would be the handling of the Harnett Regional Water lines and the City of Dunn water lines.

Town Engineer Bill Dreitzler stated that he is changing his recommendation on the open cut versus tunneling. He doesn't see spending another \$20,000.00 to this project, outside of additional engineering costs, as well as adding another 6-8 weeks to have another set of plans for the tunneling option. The new recommendation would be to continue with the open cut.

Mayor Baker asked for clarification on the tunneling versus the open cut. Mr. Dreitzler clarified that the difference was the cost, as well as an additional \$20,000.00 in engineering costs, as well as the length of time before plans would be in hand to go to bid.

**The consensus of the Board was to approve Town Engineer Bill Dreitzler's recommendation to move forward with the open cut design in accordance with the original contract, and place this item under Consent for our Regularly Scheduled Meeting in April.**

**BOA 2024-05**

The proposed Budget Amendment will take excess funds from our interest-earned line item to cover the costs of replacing a lawnmower in the Recreation Department.

**The consensus of the Board was to add this Budget Amendment under Consent on the agenda for our Regularly Scheduled meeting in April.**

**SRO Reimbursement Agreement Amendment**

Town Manager Snow Bowden presented SRO Agreement Amendments. One is an update to the current MOU with Harnett County. The update would allow for complete reimbursement for the budgeted amount for our SRO. It would also allow for a 3% increase in the allotted reimbursement amount at the start of each Fiscal Year. In the original agreement, the maximum amount was \$65,812.00

Additionally, we received an amendment that has been approved by Harnett County to provide a one-time \$5,000.00 bonus to our current SRO. This is in line with the bonus that the SRO's with Harnett County have received.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: West K Street

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Our Town Engineer Bill Dreitzler is here tonight to discuss the West K Street project. At one of our recent workshop meeting the consensus of the Board was to move forward with the tunneling option as the best option to fix this damaged site. In order to move forward with the boring option additional work needs to be completed that is included in the updated scope of work. The additional work that needs to be completed includes more survey work updates to the design/plan.



Scope of Work  
K Street Culvert Replacement  
Town of Erwin, NC

## PROJECT DESCRIPTION

This Scope of Work is a supplement to the original agreement with the Town and outlines the additional professional surveying and engineering services to be provided to the Town of Erwin (Town) for the project to be called *West K Street Culvert Replacement*. The purpose of these additional services is to provide a design for a bore & jack (tunneling) option to replace the failed pipe culvert crossing on West K Street located between N 14<sup>th</sup> Street and N 15<sup>th</sup> Street. The existing culvert crossing West K Street is an approximate 36-inch diameter corrugated metal pipe which has failed, causing significant erosion and potential failure of the roadway. The scope of this project includes:

- Topographic Survey services
- Bore & Jack design services
- Construction drawings

## PROPOSED SCOPE OF WORK

Gradient, PLLC (Professional) utilize previous surveys and designs, supplemented by the items contained in this scope of services, for the preparation of construction contract documents for the tunneling option. The proposed scope of work has been prepared in general accordance with the engineering standard of practice and discussion of the project with the Town and consists of the following basic services:

### 1. Additional Topographic Survey

#### 1.1 Conventional Survey Services

The proposed bore & jack operation will be parallel to the existing culvert and on the edge of the previously conducted topographic survey. Additional topographic survey will be conducted to address the area needed for the tunneling option.

##### 1.1.1 Easement Exhibit Maps

Included in original agreement.

##### 1.1.2 Property Owner Notification

Included in original agreement.

##### 1.1.3 Basemap

The Surveyor (GEL) will update the survey data from the original agreement and update the basemap. The basemap will be used in developing the design and construction drawings.

### 2. Design Development

#### 2.1 Preliminary Plan & Profiles

Professional has developed a conceptual plan & profile of the proposed tunneling option. This conceptual plan will be used to develop a preliminary drawing (30% complete). Professional will also update the preliminary Opinion of Probable

Construction Cost based on the preliminary drawings and unit costs from other, similar projects.

Deliverable:

- *Preliminary 30% construction drawings with Preliminary Opinion of Probable Construction Cost*

**2.2 Progress Design and Submittals 60% and 90%**

**2.2.1** Professional will incorporate comments from the preliminary plan submittal to prepare 60% design construction drawings. The 60% design drawings will build on the 30% design preliminary plans by including project details, preliminary utility relocation plans (as required), preliminary traffic control plan/concept, erosion control concept/procedures, and preliminary easement locations. The 60% design submittal will include one (1) progress meeting with Town.

**2.2.2** Professional will incorporate comments from the 60% design submittal to prepare 90% design construction drawings. The 90% design drawings will build on the 60% design plans by including general notes and a construction sequence, materials and quantities sheet, utility relocation details, sediment and erosion control plan, and traffic control plan. The 90% design submittal will include a tabulation of bid quantities, an opinion of probable construction cost, a general outline of the technical specifications, and final easement plats. The 90% design submittal will include one (1) progress meeting with Town.

Deliverable:

- *Preliminary 60% construction drawings with Preliminary Opinion of Probable Construction Cost*
- *Preliminary 90% construction drawings with Preliminary Opinion of Probable Construction Cost and easement plats.*

**3. Construction Contract Documents and Permitting**

**3.1 Develop Project Manual**

Professional will update the final project manual to include specifications for the tunneling design. No additional fee required.

**3.2 Permit Applications**

- Not included.

**3.3 Final Construction Documents**

Included in original contract. No additional fee required.

**3.4 Utility Coordination**

Included in original contract. No additional fee required.



**COMPENSATION**

Compensation for engineering services and reimbursable expenses shall be based on the following fixed fees. These fees will be invoiced monthly based on our estimation of the percentage complete on each task.

Task #		Description	<i>Tunnel Option Total</i>
1		<b>ADDITIONAL SURVEY</b>	
	1.1	<i>Additional Field Survey</i>	\$3,350.00
2		<b>DESIGN DEVELOPMENT</b>	
	2.1	<i>Preliminary Plan &amp; Profile</i>	\$3,830.00
	2.2	<i>Progress Design &amp; Submittals</i>	\$0.00
	2.2.1	<i>60% Design</i>	\$5,950.00
	2.2.2	<i>90% Design</i>	\$6,990.00
<b>Total Project</b>			<b>\$20,120.00</b>

This proposal is valid for 30 days from the date of the proposal. If the proposal is not accepted within 30 days, we reserve the right to revise or withdraw the proposal entirely at our discretion. Please confirm your acceptance of this proposal by signing one copy and returning it to our office. Our receipt of the executed copy of this proposal will serve as our Notice to Proceed and contract to perform the work described herein. This Agreement is subject to the Gradient Standard Terms and Conditions which are incorporated herein by reference.

**AUTHORIZATION TO PROCEED**

**Proposal for Surveying & Civil Engineering Services**

**Town of Erwin**

**West K Street - Tunneling Option**

I/We agree and accept Gradient's proposal to provide the above described services. We understand the Scope of Services as provided herein and agree to the fees estimated for these services. We further acknowledge that Gradient will provide a proposal for any change in the Scope of Services described herein and that a signed agreement to provide those additional services will be executed prior to any work being performed.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



August 7, 2023

Town of Erwin, NC  
Attn: Bill Dreitzler, Town Engineer  
PO box 459  
Erwin, NC 28339

RE: Scope of Work & Fee Proposal  
West K Street Culvert Replacement  
Town of Erwin, NC

Dear Bill:

Attached to this letter is our Scope of Work & Fee Proposal which outlines the professional surveying and engineering services we propose to provide to the Town of Erwin (Town) for the project to be called *West K Street Culvert Replacement*. The purpose of the project is to address the failed pipe culvert crossing on West K Street located between N 14<sup>th</sup> Street and N 15<sup>th</sup> Street.

We have included the various elements you requested (culvert replacement vs. open channel) and trust the information herein is clear and concise on those two elements. We would be happy to meet with you to review this information should you desire or to provide further clarification if necessary.

Please contact me with any questions you may have. We are prepared to begin work once we have a notice to proceed from the Town.

Sincerely,  
GRADIENT, PLLC

Gordon A. Rose, PE



**Scope of Work**  
**K Street Culvert Replacement**  
**Town of Erwin, NC**

**PROJECT DESCRIPTION**

This Scope of Work outlines the professional surveying and engineering services to be provided to the Town of Erwin (Town) for the project to be called *West K Street Culvert Replacement*. The purpose of the project is to replace the failed pipe culvert crossing on West K Street located between N 14<sup>th</sup> Street and N 15<sup>th</sup> Street. The existing culvert crossing West K Street is an approximate 36-inch diameter corrugated metal pipe which has failed, causing significant erosion and potential failure of the roadway. The scope of this project includes:

- Topographic Survey services
- Hydrologic and Hydraulic Investigation
- Culvert design services
- Construction drawings

Items which are not included with this proposal but can be provided as an additional service at a later date include:

- Subsurface Utility Exploration (SUE)
- Bid package development
- Assistance during construction

The Gradient team will include sub-consultants to be used as needed to provide data collection. GEL Solutions will be used for field topographic survey services; this scope will include obtaining finished floor and other critical structure/component elevations, relevant storm pipe and system detail, utility locations (as marked by others), topographic surveys, as well as representative channel cross-sections. Subsurface Utility Engineering (SUE) services can be provided at an additional cost.

Building and Earth Sciences will be used for geotechnical services, to assess the subsurface soil conditions. Inver Consulting will be used to identify any potential wetlands and assist with permitting for proposed impacts.

**PROPOSED SCOPE OF WORK**

Gradient, PLLC (Professional) will provide Hydrologic & Hydraulic (H&H) analysis; design development; and preparation of construction contract documents. Not included with this scope of work but services which can be provided if needed include assistance with bidding and construction contract award services; and assistance during construction as outlined below. The proposed scope of work has been prepared in general accordance with the engineering standard of practice and discussion of the project with the Town and consists of the following basic services:

**1. Preliminary Investigation**

**1.1 Site Visit and Kick Off Meeting**

Professional will attend a site visit with representatives of the Town to walk the site and to observe the proposed working area. The visit will occur prior to the field survey efforts to validate the scope of the project and the survey limits.

## 1.2 Conventional Survey Services

GEL Solutions will provide topographic survey services to assist with the overall project scope. GEL will establish XYZ control via GPS and create a localized point along with secondary control through the project limits (the project limits are shown on Exhibit A). At least one (1) benchmark will be set within the project limits. The following items will be located in the field to complete the final deliverables.

- Sanitary Sewer Structures to include size, type, and inverts
- Locate property along the project limits
- Pavement within the project limits
- Finished floor elevation (FFE) of adjacent structures (as needed)
- Hydrographic features throughout the project limits and further defined during the field scoping meeting
- Existing visible planimetric features including, but not limited to
  - Signs, Poles, Guy Wires, Utility Structures, Fences, etc.
  - Top of valve nut elevations including, but not limited to water, sewer, and gas valves
  - Horizontal SUE paint markings of existing utilities as marked by others
  - Aerial utility connectivity within the project limits

### 1.2.1 Easement Exhibit Maps

Survey easement services, if required, will be provided through our subconsultant, GEL Solutions. GEL will conduct limited boundary surveys and produce map exhibits for the upstream (south) and downstream (north) tie-in locations for the proposed culvert replacements. The easement map exhibits will be delivered to the Town on 8.5X11 or 11X17 sized pages.

It appears from recorded maps there is an existing drainage easement on the parcel on the upstream (south) side of West K Street. It is assumed the existing pipe is within this easement such that no additional easements will be required. We find no evidence of an existing easement on the property on the downstream (north) side of West K Street. We will prepare an easement exhibit map on the north side of the road sufficient to address the work zone only. This does not include preparation of an easement map across the entire parcel.

### 1.2.2 Property Owner Notification

Professional will develop a list of properties that may require access during the survey services. The Town will notify the property owners and provide notice prior to commencement of survey services. Property notification services are not included in this scope.

### 1.2.3 Basemap

The Surveyor (GEL) will update the survey data and basemapping in electronic format, including a surface file for the topographic surveyed areas. The basemap will be used in developing the design and construction drawings.

The following survey services (1.3 and 1.4) are not included in the scope and fee proposal. These services can be added if desired.

## 1.3 Subsurface Utility Engineering (SUE) Quality Level D-B Survey

If requested and upon negotiation of an additional survey fee, GEL will collect available records of existing utilities within the project limits. GEL will then employ non-intrusive geophysical technologies to designate the existence and determine horizontal positions of non-gravity utilities within survey limits. A combination of EM equipment and GPR

equipment will be used to designate the targeted utilities in accordance with the APWA Uniform Color Code scheme. Paint markings and structures will be horizontally located during Task 1.2 to include in the final MicroStation.dgn deliverable.

#### **1.4 Subsurface Utility Engineering (SUE) Quality Level A Test Holes**

Upon completion of Task 1.3, GEL can complete test holes identified by Professional after review of the deliverable from Task 1. GEL will employ non-intrusive geophysical technologies to designate the existence and determine horizontal positions of the targeted utilities described to be in conflict to properly lay out each test hole location. "Vacuum Excavation Reports" will be generated for each test hole completed and be included in the final SUE deliverable.

- Provide equipment, personnel, and supplies necessary for the completion of the test holes. The exact locations of the test holes will be determined by GEL and the Professional based on the actual utility conflicts found during Task 1.
- Excavate test holes to expose the utility to be measured. In performing such excavations, GEL Engineering shall comply with applicable utility damage prevention laws. GEL Engineering shall schedule and coordinate with the utility companies and their inspectors, as required, so they may be present during the excavation of their facilities.
- Provide notification and information concerning: (a) the outside diameter of the utility and configuration of non-encased, multi-conduit systems; (b) the utility structure material composition, when reasonably ascertainable; (c) the type of surface material; (d) the general soil type and site conditions; and (e) such other pertinent information as is reasonably ascertainable from each test hole site.
- Measure and record distance to top of utility, and place a pk, hub/tack, chiseled x, nail, and/or disk over the utility to allow for survey of each test hole.
- Provide restoration of pavement using cold patch asphalt within the limits of the original cut and spoils to be used as fill. When test holes are excavated in areas other than roadway pavement, these disturbed areas shall be restored as nearly as possible to the condition that existed prior to the excavation. Additional restoration efforts will be billed at cost plus 15%.
- We assume that no contaminated soils will be present which would require special equipment decontamination and/or off-site disposal of materials. Spoils will be used for test hole backfill and will be compacted by tamping prior to any surface repair.

#### Survey and SUE Deliverables:

- *2D and 3D Microstation dgn in accordance with NCDOT mapping standard*
- *TIN and corresponding GPK files*
- *Signed and sealed .pdf of the completed survey*
- *Signed and sealed reports of all test holes completed during Task 1.4 (if this option is selected)*

#### **1.5 Geotechnical Services**

The purpose of the geotechnical investigation will to be determine soil types at the site that could be expected during construction. The services include:

##### **1.5.1 Coordination and Field Exploration**

- **Coordination and Scheduling:** Professional will coordinate this work with the Town regarding access to the site.
- **Utility Clearances:** As identified in Task 1.3 and Task 1.4 above.

- **Drilling and Sampling:** Perform a total of two (2) soil test borings. One boring will be advanced to a depth of 15 feet, and the other will be advanced to a depth of 20 feet, below the ground surface.
- **Groundwater:** After drilling the hollow stem auger borings, we will measure the groundwater level at the end of the day. After retrieving the measurement, we will backfill the borehole(s) with soil cuttings.

### 1.5.2 Laboratory Testing

- Laboratory testing is geared towards identifying the materials that should be expected during construction.
- The quantity and nature of the laboratory tests performed will vary depending upon the type of soils encountered. Based on the drilling scope and requested geotechnical evaluations, we anticipate performing the following laboratory tests:

Laboratory Test	ASTM	Number of Tests
Atterberg Limits	D4318	2
Gradation Analysis	D6913	2
Natural Moisture Content	D2216	13

### 1.5.3 Engineering Analysis and Reporting

Perform engineering analysis for shallow foundations. Findings will be sent in an electronic report, which will include, but not necessarily be limited to, the following information:

- Summary of existing surface conditions.
- A description of the subsurface conditions encountered at the boring locations.
- Site preparation considerations including material types to be expected during grading as well as recommendations regarding handling and treatment of unsuitable soils, if encountered.
- Compaction requirements and recommended criteria to establish suitable surfaces for structural backfill.
- Boring logs detailing the materials encountered with soil classifications, penetration values, and groundwater levels (if measured).
- Presentation of laboratory test results.
- Plans and maps showing the location of the project and our onsite work.

### 1.6 Preliminary Hydrology & Hydraulics - Culvert Option

The hydraulics and hydrology for the project will be determined using PCSWMM or other appropriate modeling software. The hydraulic model will utilize LiDAR topography outside the project limits and the surveyed topographic data within the project limits. The H & H analysis will be used to determine the final design culvert configuration. Once the design concept is established, the 25- and 100-year, 24-hour event will be analyzed to estimate flooding conditions.

#### Deliverables:

- *Preliminary design concept plan*





## 2. Design Development

### 2.4 Preliminary Plan & Profiles

Professional will use the design concept from the previous Task 1.6 to develop preliminary construction drawings. The preliminary construction drawings, considered to be 30% complete, will include a title sheet, existing conditions sheet (with project survey control), plan and profile sheet, and pertinent project details. The Town will review, provide comments, and give approval to proceed with the 60% design submittal. Professional will also develop a preliminary Opinion of Probable Construction Cost based on the preliminary drawings and unit costs from other, similar projects.

Deliverable:

- *Preliminary 30% construction drawings with Preliminary Opinion of Probable Construction Cost*

### 2.5 Progress Design and Submittals 60% and 90%

Professional will incorporate comments from the preliminary plan submittal to prepare 60% design construction drawings. The 60% design drawings will build on the 30% design preliminary plans by including project details, preliminary utility relocation plans (as required), preliminary traffic control plan/concept, erosion control concept/procedures, and preliminary easement locations. The 60% design submittal will include one (1) progress meeting with Town.

Professional will incorporate comments from the 60% design submittal to prepare 90% design construction drawings. The 90% design drawings will build on the 60% design plans by including general notes and a construction sequence, materials and quantities sheet, utility relocation details, sediment and erosion control plan, and traffic control plan. The 90% design submittal will include a tabulation of bid quantities, an opinion of probable construction cost, a general outline of the technical specifications, and preliminary easement plats. The 90% design submittal will include one (1) progress meeting with Town.

Deliverable:

- *Preliminary 60% construction drawings with Preliminary Opinion of Probable Construction Cost*
- *Preliminary 90% construction drawings with Preliminary Opinion of Probable Construction Cost*

## 3. Construction Contract Documents and Permitting

### 3.4 Develop Project Manual

Professional will develop the final project manual using front-end and technical specifications provided by the Town or from other sources, to be approved by the Town. This includes preparation of the bid tabulation and quantities, as well as editing the pertinent front-end sections and the project specific technical specifications.

### 3.5 Permit Applications

This scope does not include utility permit services, but does include the Town's review, comments, and approval for water and gravity sewer relocation designs (if required).

Biological permitting services will be performed by Inver Consulting as a sub-consultant to Gradient and includes the following:

- **Wetland/stream delineation:** Identify and characterize potential Clean Water Act resources within the project area according to current methodologies. Establish

Ordinary High-Water Mark along stream channels. Perform NC Stream Assessment Method to document stream functions.

- Coordinate with surveyor on PLS location of stream banks and wetland flagging (if required).
- Discuss design after delineation for compliance with Nationwide Permit.
- Prepare an electronic Pre-Construction Notification for submittal to the USACE and NCDWR, including:
  - PCN Form
  - Species database review
  - Historic resources database review
  - Delineation information
  - Stream functional assessment
  - Mitigation proposal or justification

**Items not included:**

- *No Jurisdictional Determination will be requested from the USACE due to agency workload. Delineation information will be included in the e-PCN*
- *Design will comply with Nationwide Permit & General Certification conditions and will be Allowable under the Buffer Rules. No Individual Permit or Buffer Variance required.*
- *Permit fees to be paid by others if required.*
- *No compensatory mitigation will be required, or if required will be provided by the Town via in-lieu-fee or mitigation bank payment.*

### **3.6 Final Construction Documents**

Professional will incorporate previous comments to finalize the 100% Design construction drawings and project manual documents. The final construction documents shall be signed, sealed, and prepared for bid advertisement.

### **3.7 Utility Coordination**

Professional will assist during the utility coordination process by answering questions and providing project drawings. Town will coordinate with utility companies having existing utilities within the project area such as electric, cable, telephone and gas and will submit drawings to the various utility providers for review as required. If relocations are required, Town will coordinate the relocation process with the affected utility providers. Proposed relocations, as proposed by the utility companies and approved by the Town, will be indicated on the final drawings.

The following services are not included in this scope of work but can be added at a later date if desired by the Town:

## **4. Bidding and Construction Contract Award**

### **4.1 Bid Advertisement**

The Town will develop a bid advertisement and will post the advertisement. As part of this task the Professional will assist the Town during the bid process by helping to address bidder's questions, and the Professional may attend one pre-bid meeting.

#### **4.2 Distribute Bid Documents**

Professional shall prepare and package the construction drawings and bid documents in pdf format so they can be viewed electronically and/or be printed by the Town for distribution. Town will be responsible for the distribution of the bid documents.

#### **4.3 Bid Opening**

The Town will receive the project bids and conduct the bid opening process. The Professional will assist the Town in reviewing the bid submittals and will draft a recommendation of award letter to the Town.

#### **4.4 Execution of Construction Contract**

The Town will work with the selected construction contractor to implement the construction contract execution. Professional will assist the Town in this process by answering questions.

### **5. Construction Administration**

#### **5.1 Preconstruction Meeting**

Professional will attend one (1) preconstruction meeting with the Town and construction contractor.

#### **5.2 Construction Administration**

The Town will assign a project representative and/or inspector responsible for the construction administration and observation and will be the primary contact for the construction contractor. The Professional will assist the Town representative by periodically visiting the site, addressing design questions during construction, and reviewing project submittals as requested. The construction administration estimated time is based on one (1), four (4) hour visit per week for a 120-day construction time (68 total hours).

#### **5.3 Shop Drawing Review**

The Professional will review shop drawings submitted by the contractor and provide documentation to the Town regarding this review. Final review and approval of shop drawings will be the responsibility of the Town.

#### **5.4 Pay Apps**

The Professional will assist the Town by answering questions from the Town representative on the interpretation and verification of the contractor's requests for payment. The Town will be responsible for verifying quantities during construction.

#### **5.5 Change Orders**

The Professional will assist the Town by reviewing and making recommendations about change order requests that may be submitted by the construction contractor. The Town will be responsible for final approval and execution of change orders.

#### **5.6 Final Inspection**

The Professional will participate with the Town in the final inspection and final project walk-through. The Professional will assist the Town by providing comments and recommendations about final "punch-list" items and approvals.

#### **5.7 Prepare "As-Built" Drawings and Certifications**

Record drawings, as-built surveys, and final certifications are not included in this scope.

**ADDITIONAL SERVICES: Alternative Design**

The Town may want to consider an alternative to replacement of the existing culvert. This alternative would involve an open channel across West K Street and thereby eliminating through traffic. The tasks described below would be in addition to the tasks identified above for the culvert replacement:

**1. Preliminary Investigation**

**1.1 Site Visit and Kick Off Meeting**

Same as described above. No additional scope or fee.

**1.2 Conventional Survey Services**

Same as described above. No additional scope or fee.

**1.2.1 Easement Exhibit Maps**

Same as described above. No additional scope or fee.

**1.2.2 Property Owner Notification**

Same as described above. No additional scope or fee.

**1.2.3 Basemap**

Same as described above. No additional scope or fee.

**1.3 Subsurface Utility Engineering (SUE) Quality Level D-B Survey**

Same as described above. No additional scope or fee.

**1.4 Subsurface Utility Engineering (SUE) Quality Level A Test Holes**

Same as described above. No additional scope or fee.

**1.5 Geotechnical Services**

**1.5.1 Coordination and Field Exploration**

Same as described above. No additional scope or fee.

**1.5.2 Laboratory Testing**

Same as described above. No additional scope or fee.

**1.6 Preliminary Hydrology & Hydraulics - Open Channel Option**

The hydraulics and hydrology for the open channel option will be determined using PCSWMM or other appropriate modeling software. The hydraulic model will utilize LiDAR topography outside the project limits and the surveyed topographic data within the project limits. The H & H analysis will determine the required channel configuration and grading required to establish adequate side slopes. Once the design concept is established, the 25- and 100-year, 24-hour event will be analyzed to estimate flooding conditions.

**2. Design Development**

**2.1 Preliminary Plan & Profiles**

Professional will use the design concept from the previous Task 1.6 (Open Channel option) to develop a preliminary plan and profile of the proposed open channel and grading impacts. The preliminary construction drawings, considered to be 30% complete, will include a plan and profile sheet, and pertinent project details. The Town will review, provide comments, and give approval to proceed with the 60% design submittal should this option be selected. Professional will also develop a preliminary Opinion of Probable Construction Cost based on the preliminary drawings and unit costs from other, similar projects.

**2.2 Progress Design and Submittals 60% and 90%**

Professional will incorporate comments from the preliminary plan submittal to prepare 60% design construction drawings for the open channel option. The 60% design drawings will

build on the 30% design preliminary plans by including project details, preliminary utility relocation plans (as required), preliminary traffic control plan/concept, erosion control concept/procedures, and preliminary easement locations. The 60% design submittal will include one (1) progress meeting with Town.

Professional will incorporate comments from the 60% design submittal to prepare 90% design construction drawings. The 90% design drawings will build on the 60% design plans by including general notes and a construction sequence, materials and quantities sheet, utility relocation details, sediment and erosion control plan, and traffic control plan. The 90% design submittal will include a tabulation of bid quantities, an opinion of probable construction cost, a general outline of the technical specifications, and preliminary easement plats. The 90% design submittal will include one (1) progress meeting with Town.

Deliverable:

- *Preliminary 60% construction drawings with Preliminary Opinion of Probable Construction Cost*
- *Preliminary 90% construction drawings with Preliminary Opinion of Probable Construction Cost*

**3. Construction Contract Documents and Permitting**

**3.1 Develop Project Manual**  
Same as described above.

**3.2 Permit Applications**  
Same as described above.

**3.3 Final Construction Documents**  
Same as described above.

**3.4 Utility Coordination**  
Same as described above.

**4. Bidding and Construction Contract Award**

**4.1 Bid Advertisement**  
Same as described above.

**4.2 Distribute Bid Documents**  
Same as described above.

**4.3 Bid Opening**  
Same as described above.

**4.4 Execution of Construction Contract**  
Same as described above.

**COMPENSATION**

Compensation for engineering services and reimbursable expenses shall be based on the following fixed fees. These fees will be invoiced monthly based on our estimation of the percentage complete on each task.

Task #	Description	Culvert Replacement Total	Open Channel Total
<b>1</b>	<b>PRELIMINARY INVESTIGATION</b>		
1.1	Site Visit & Kick Off Meeting	\$700.00	\$0.00
1.2	Conventional Survey Services	\$5,595.00	\$0.00
1.2.1	Easement Exhibit Maps	\$1,830.00	\$0.00
1.2.2	Property Owner Notification	\$475.00	\$0.00
1.2.3	Basemap	\$1,730.00	\$0.00
1.3	Subsurface Utility Exploration (SUE)	\$0.00	\$0.00
1.4	Subsurface Utility Exploration (SUE) - Test Holes	\$0.00	\$0.00
1.5	Geotechnical Services	\$0.00	
1.5.1	Coordination & Field Exploration	\$3,000.00	\$0.00
1.5.2	Laboratory Testing	\$1,500.00	\$0.00
1.5.3	Engineering Analysis & Reporting	\$1,000.00	\$0.00
1.6	Preliminary Hydrology & Hydraulics	\$3,590.00	\$1,610.00
	<i>Sub-Total Preliminary Investigation</i>	<b>\$19,420.00</b>	<b>\$1,610.00</b>
<b>2</b>	<b>DESIGN DEVELOPMENT</b>		
2.1	Preliminary Plan & Profile	\$4,600.00	\$3,100.00
2.2	Progress Design & Submittals		
	60% Design	\$6,880.00	\$6,710.00
	90% Design	\$6,380.00	\$6,250.00
	<i>Sub-Total Design Development</i>	<b>\$17,860.00</b>	<b>\$16,060.00</b>
<b>3</b>	<b>CONSTRUCTION CONTRACT DOCUMENTS &amp; PERMITTING</b>		
3.1	Develop Project Manual	\$1,465.00	\$660.00
3.2	Permit Applications	\$2,860.00	\$1,160.00
3.2	Final Construction Documents	\$1,610.00	\$1,280.00
3.4	Utility Coordination	\$1,900.00	\$1,320.00
	<i>Sub-total Construction Contract Documents</i>	<b>\$7,835.00</b>	<b>\$4,420.00</b>
	<b>Total Project</b>	<b>\$45,115.00</b>	<b>\$22,090.00</b>

This proposal is valid for 30 days from the date of the proposal. If the proposal is not accepted within 30 days, we reserve the right to revise or withdraw the proposal entirely at our discretion. Please confirm your acceptance of this proposal by signing one copy and returning it to our office. Our receipt of the executed copy of this proposal will serve as our Notice to Proceed and contract to perform the work described herein. This Agreement is subject to the Gradient Standard Terms and Conditions which are incorporated herein by reference.

**AUTHORIZATION TO PROCEED**  
**Proposal for Surveying & Civil Engineering Services**  
**Town of Erwin**  
**West K Street - Culvert Replacement**

I/We agree and accept Gradient's proposal to provide the above described services. We understand the Scope of Services as provided herein and agree to the fees estimated for these services. We further acknowledge that Gradient will provide a proposal for any change in the Scope of Services described herein and that a signed agreement to provide those additional services will be executed prior to any work being performed.

Snow Bowden  
Printed Name

Town Manager  
Title

Snow Bowden  
Signature

09/07/2023  
Date

Project:	West K Street Culvert Replacement		Project No.:		
Owner:	Town of Erwin, NC				
Engineer:	Gradient, PLLC				
Option	Option 1: Open Cut & Replace				
<b>Base Bid</b>					
Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Extended Amount
<b>Items in Base Bid (excluding Allowances) per Section 01 29 01 "Measurement and Basis for Payment"</b>					
A-01	MOBILIZATION (2.5%)	LS	1	2.5%	21,419.75
A-02	EROSION CONTROL (2.5%)	LS	1	2.5%	21,419.75
A-03	TRAFFIC CONTROL (2.5%)	LS	1	2.5%	21,419.75
A-04	CLEARING AND GRUBBING	AC	1.0	25,000.00	25,000.00
A-05	UNCLASSIFIED EXCAVATION	CY	6,500.0	55.00	357,500.00
A-06	UNDERCUT EXCAVATION	CY	100	60.00	6,000.00
A-07	SELECT BORROW MATERIAL	CY	2,000	60.00	120,000.00
A-08	TEMPORARY STREAM DIVERSION	LS	1	25,000.00	25,000.00
A-09	INSTALL, MAINTAIN, AND REMOVE TEMPORARY BARRIER FENCE	LF	500	22.00	11,000.00
A-10	REMOVE & DISPOSE OF EXISTING ASPHALT PAVEMENT	SY	300	20.00	6,000.00
A-11	PLANT MIX BITUMINOUS CONCRETE SURFACE COURSE, TYPE S9.5C - COF	SY	300	15.00	4,500.00
B-01	REMOVE AND DISPOSE OF EXISTING 36" CMP	LF	180	58.00	10,440.00
B-02	48" RCP, CLASS III	LF	200	620.00	124,000.00
B-03	INSTALL 6' DIAMETER SW MANHOLE, 18'-20' DEPTH	EA	1	20,000.00	20,000.00
B-04	48" RCP CONCRETE HEADWALL	EA	2	9,000.00	18,000.00
B-05	RIP RAP, CLASS 1 WITH FILTER FABRIC	TN	62	175.00	10,850.00
B-06	SEEDING AND MULCHING, AC	AC	1.0	5,500.00	5,500.00
C-01	REMOVE EXISTING 8" WATER MAIN	LF	100	10.00	1,000.00
C-02	FURNISH & INSTALL NEW 8" RJ DUCTILE IRON WATER MAIN	LF	100	350.00	35,000.00
C-03	FURNISH & INSTALL NEW 8" RJ GATE VALVE w/ VALVE BOX	EA	2	5,000.00	10,000.00
C-04	CONNECTING TO EXISTING WATER MAIN	EA	2	2,500.00	5,000.00
C-05	STERILIZATION & TESTING	LF	1,200	10.00	12,000.00
C-06	TEMPORARY SUPPORT FOR 24-INCH MAIN DURING CONSTRUCTION	LS	1	50,000.00	50,000.00
					-
					-
					-
					-
					-
					-
					-
					-
<b>Total Base Bid Items Amount (Sum of Extended Amounts for each Base Bid Line Item)</b>					<b>\$ 921,049.25</b>
				10%	\$ 92,104.93
				15%	\$ 138,157.39
<b>Total Estimate</b>					<b>\$ 1,151,311.56</b>



<b>Project:</b>	<b>West K Street Culvert Replacement</b>	<b>Project No.:</b>
<b>Owner:</b>	Town of Erwin, NC	
<b>Engineer:</b>	Gradient, PLLC	
<b>Option</b>	<b>Option 2: Bore</b>	

**Base Bid**

Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Extended Amount
<b>Items in Base Bid (excluding Allowances) per Section 01 29 01 "Measurement and Basis for Payment"</b>					
A-01	MOBILIZATION (2.5%)	LS	1	2.5%	22,508.75
A-02	EROSION CONTROL (2.5%)	LS	1	2.5%	22,508.75
A-03	TRAFFIC CONTROL (2.5%)	LS	1	2.5%	22,508.75
A-04	CLEARING AND GRUBBING	AC	1.0	25,000.00	25,000.00
A-05	UNCLASSIFIED EXCAVATION	CY	500.0	55.00	27,500.00
A-06	UNDERCUT EXCAVATION	CY	100	60.00	6,000.00
A-07	SELECT BORROW MATERIAL	CY	2,000	60.00	120,000.00
A-08	TEMPORARY STREAM DIVERSION	LS	1	15,000.00	15,000.00
A-09	INSTALL, MAINTAIN, AND REMOVE TEMPORARY BARRIER FENCE	LF	500	22.00	11,000.00
A-10	REMOVE & DISPOSE OF EXISTING ASPHALT PAVEMENT	SY	100	20.00	2,000.00
A-11	PLANT MIX BITUMINOUS CONCRETE SURFACE COURSE, TYPE S9.5C - COF	SY	100	15.00	1,500.00
B-01	GROUT FILL EXISTING 36" CMP	LF	180	250.00	45,000.00
B-02	BORE 48" RCP, CLASS III	LF	200	3,000.00	600,000.00
B-03	INSTALL 6' DIAMETER SW MANHOLE, 8'-10' DEPTH	EA	2	6,500.00	13,000.00
B-04	48" RCP CONCRETE HEADWALL	EA	2	9,000.00	18,000.00
B-05	RIP RAP, CLASS 1 WITH FILTER FABRIC	TN	62	175.00	10,850.00
B-06	SEEDING AND MULCHING, AC	AC	1.0	5,500.00	5,500.00
C-01	REMOVE EXISTING 8" WATER MAIN	LF	-	10.00	-
C-02	FURNISH & INSTALL NEW 8" RJ DUCTILE IRON WATER MAIN	LF	-	350.00	-
C-03	FURNISH & INSTALL NEW 8" RJ GATE VALVE w/ VALVE BOX	EA	-	5,000.00	-
C-04	CONNECTING TO EXISTING WATER MAIN	EA	-	2,500.00	-
C-05	STERILIZATION & TESTING	LF	-	10.00	-
C-06	TEMPORARY SUPPORT FOR 24-INCH MAIN DURING CONSTRUCTION	LS	-	50,000.00	-
					-
					-
					-
					-
					-
					-
					-
<b>Total Base Bid Items Amount (Sum of Extended Amounts for each Base Bid Line Item)</b>					<b>\$ 967,876.25</b>
		<b>Contingency</b>		10%	\$ 96,787.63
		<b>Construction Period Services</b>		15%	\$ 145,181.44
<b>Total Estimate</b>					<b>\$ 1,209,845.31</b>

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: BOA 2024-05

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The proposed text amendment takes excess funds from our interest-earned line item to cover the costs of replacing a lawnmower in the Recreation Department.

**BUDGET ORDINANCE AMENDMENT**  
**BOA 2024 – 05**  
**FISCAL YEAR 2023-2024**

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. This Budget Ordinance Amendment seeks to Increase Revenues and Increase Expenditures by \$14,735. This amendment is to account for increase in Recreation Department expenditures.

Section 2. To amend the General Fund: The revenues are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-3290-000	Interest Earned	\$100,000	(+) \$14,735	\$114,735

Section 3. To amend the General Fund: The Expenditures are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-6200-740	Capital Outlay-Equip.	\$53,060	(+) \$ 14,735	\$ 67,795

Section 4. Copies of this budget amendment shall be furnished to the Clerk, the Governing Board, the Budget Officer and the Finance Director for their direction.

Adopted this 4th day of April 2024.

\_\_\_\_\_  
Randy L. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Lauren Evans, Town Clerk

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: SRO Reimbursement Agreement A

---

We have received an updated reimbursement agreement from Harnett County for our School Resource Officer. Harnett County increased our reimbursement threshold in this agreement. The updated agreement will reimburse the Town the full amount that we budgeted for in the current Fiscal Year. In the original agreement the maximum amount was \$65,812.00. The new agreement includes a 3% increase in the allotted reimbursement amount at the start of the each subsequent Fiscal Year.

We have also received an amendment to this agreement that has already been approved by Harnett County that would provide a \$5,000 bonus to our current SRO. This is the same bonus that the SRO's with the Harnett County Sheriff's Office received.

When we started this program we had two schools in Erwin. Therefore, we had a need for two School Resource Officers. The two schools were Gentry Primary School and Erwin Elementary. Triton High School has a deputy from the Harnett County Sherriff's Office as the SRO. Harnett County was okay with us to move forward with this updated reimbursement agreement because on page one it only states Erwin Elementary School.

**FIRST AMENDMENT TO THE SCHOOL RESOURCE OFFICER PROGRAM  
REIMBURSEMENT AGREEMENT FOR ELEMENTARY AND PRIMARY SCHOOLS**

**THIS FIRST AMENDMENT TO THE SCHOOL RESOURCE OFFICER PROGRAM REIMBURSEMENT AGREEMENT FOR ELEMENTARY AND PRIMARY SCHOOLS** is made and entered into as of the 4<sup>th</sup> day of March, 2024 (hereinafter referred to as the “Effective Date”), by and between the Harnett County Board of Education (hereinafter “Board”), the governing body of the Harnett County Schools (hereinafter “HCS”), the County of Harnett (hereinafter “County”) and Town of Erwin (hereinafter “Town”).

WITNESSETH:

WHEREAS, the Board and the Town entered into a School Resource Officer Program Memorandum of Understanding (hereinafter referred to as the “MOU”) effective October 1, 2018; and

WHEREAS, Article V of the MOU states that the Board and governing body of the Town agree to enter into a separate contract to address the assignment of School Resource Officers (hereinafter referred to as “SRO” or collectively “SROs”) to specific HCS schools and payment for SRO services during each fiscal year; and

WHEREAS, the Board, the County, and the Town entered into the School Resource Officer Program Reimbursement Agreement for Elementary and Primary Schools (hereinafter referred to as the “Agreement”), effective July 1, 2023; and

WHEREAS, County agreed to provide funding for the SRO positions to the Board for reimbursement of SRO services as described in the MOU.

WHEREAS, the Town agreed to provide one (1) SRO to be placed at Erwin Elementary School;

WHEREAS, the Board, County, and Town desire to provide for a one-time \$5,000.00 bonus to SRO’s during the FY 2024, encompassing July 1, 2023- June 30, 2024.

NOW THEREFORE, in consideration of the mutual promises and consideration herein contained, the parties hereby agree as follows:

1. Article II entitled “Compensation for SRO Services” of the Agreement is hereby amended as follows:

Add the following paragraph:

The County shall provide a one-time bonus of five-thousand dollars (\$5,000.00) for the SRO position identified Article I of the Agreement, independent of the compensation for the annual law enforcement officers performing SRO services. The one-time bonus shall be paid to the Town in two (2) two-thousand five-hundred dollars (\$2,500.00) payments, payable upon invoicing by the municipalities at the conclusion of each semester of the

2023-2024 academic year. The one-time bonus of \$5,000.00 shall be excluded in calculating the 3% annual increase in compensation to municipalities for law enforcement officers performing SRO services.

2. All other terms of the July 1, 2023 Agreement will remain unchanged.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives or officers, have executed this First Amendment to the School Resource Officer Program Reimbursement Agreement for Elementary and Primary Schools as of the Effective Date:

HARNETT COUNTY BOARD OF EDUCATION

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_

COUNTY OF HARNETT

William Morris  
William Morris, Chairman  
Harnett County Board of Commissioners

ATTEST:

Melissa Capps  
Melissa Capps, Clerk



TOWN OF ERWIN

\_\_\_\_\_  
Randy L. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Lauren Evans, Town Clerk

**SCHOOL RESOURCE OFFICER PROGRAM  
REIMBURSEMENT AGREEMENT FOR  
ELEMENTARY AND PRIMARY SCHOOLS**

This Reimbursement Agreement (hereinafter “Agreement”) effective July 1, 2023 is made and entered into by and between the Harnett County Board of Education (hereinafter “Board”), the governing body of the Harnett County Schools (hereinafter “HCS”), the County of Harnett (hereinafter “County”), and the Town of Erwin (hereinafter referred to as the “Town”).

WITNESSETH:

WHEREAS, the Board and the Town entered into a School Resource Officer Program Memorandum of Understanding (hereinafter referred to as the “MOU”) effective October 1, 2018;

WHEREAS, Article V of the MOU states th the Board and governing body of the Town agree to enter into a separate contract to address the assignment of School Resource Officers (hereinafter referred to as “SRO” or collectively “SROs”) to specific HCS schools and payment for SRO services during each fiscal year; and

WHEREAS, the Board and the Town entered into a School Resource Officer Program Reimbursement Agreement for Elementary and Primary Schools (hereinafter referred to as the “MOU”) effective October 1, 2018; and

WHEREAS, the Board and the Town desire to update the School Resource Officer Program Reimbursement Agreement for Elementary and Primary Schools to reflect the actual costs incurred by the Town.

NOW, THEREFORE, in consideration of the promises and covenants of the parties herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Board, County, and the Town do hereby agree as follows:

**Article I**

**SRO School Assignment**

The Town shall hire and train law enforcement officers to serve as SROs pursuant to the MOU in each of the following schools within the Town’s limits:

1. Erwin Elementary

Between school years and during scheduled holidays, the Town shall have the right to utilize the SROs for non-SRO purposes so long as such uses do not conflict with any of the requirements of the MOU.

## **Article II**

### **Compensation for SRO Services**

The County, as part of the Current Expense Funding made to the Board every fiscal year, shall include eleven-twelfths (11/12) of the yearly allocation, identified below, to be used by the Board to compensate for law enforcement officers performing SRO services during the months that school is in session.

The compensation to be paid by County to the Town for reimbursement of the SRO services described in the MOU and for non-SRO purposes during scheduled holidays and between school years shall be set at \$74,249.00 per fiscal year, which shall be paid over twelve (12) equal monthly installments over the course of the fiscal year in accordance with Article III. The annual compensation paid by the County shall increase by three percent (3%) at the beginning of each subsequent fiscal year. If the total amount of funds expended on the SROs for the then-current term of the MOU exceeds the allocated amount for the current fiscal year, the Town shall be solely responsible for the excess expenditures of the SRO's services, unless the agreed upon in writing by the County.

At the conclusion of the academic year, the County will invoice the Board for all expenses incurred for SRO activities.

## **Article III**

### **Invoices for SRO Services**

In order to request payment, the Town shall submit monthly invoices to the Harnett County Sheriff's Office (hereinafter referred to as "HCSO") describing the applicable charges, including identification of personnel who performed the services, the date the services were performed, the school at which the SRO performed the services, and reimbursable expenses, if any. If the invoice contains expenditures for non-SRO purposes during a scheduled holiday, the invoice shall identify the type of services performed by the SROs. Prior to submission of invoices to the Board, the HCSO shall verify them for accuracy within five business days of receipt. Once verified, County shall process and pay invoices within 30 days of receipt.

## **Article IV**

### **Term and Termination of Agreement**

The term of this Agreement shall begin on July 1, 2023 and end on June 30, 2026 (the "Initial Term"), unless terminated earlier as herein provided. At the expiration of the Initial Term, this Agreement shall automatically renew for successive one (1) year terms upon the renewal of the MOU, unless any of the parties provide at least 30 days' written notice of its intent to terminate prior to the expiration of the then-current term.

This Agreement may be terminated by any party, with or without cause, upon 90 days' written notice to the other parties. However, this Agreement shall automatically terminate without notice upon the termination of the MOU. If at any time this Agreement is terminated during the Initial Term or any subsequent term of the MOU, the parties shall negotiate and execute a new agreement that is compliant with Article V or any amendment thereof prior to the termination date of this Agreement, unless any amendment of the MOU no longer requires such an agreement.



## Article V

### Notice

Any notice, consent, or other communication in connection with this Agreement shall be in writing and may be delivered in person, by mail, or by facsimile transmission (provided sender confirms notice by written copy). If hand-delivered, the notice shall be effective upon delivery. If by facsimile copy, the notice shall be effective when sent. If served by mail, the notice shall be effective three business days after being deposited in the United States Postal Service by certified mail, return receipt requested, addressed appropriately to the address set forth below:

#### To Board:

Harnett County Schools  
Attention: Superintendent  
1008 South 11<sup>th</sup> Street  
Lillington, North Carolina 27546

#### To County

Brent Trout  
County Manager  
Post Office Box 759  
Lillington, North Carolina 27546

#### With copy to:

Christopher Appel  
Senior County Staff Attorney  
Post Office Box 238  
Lillington, North Carolina 27546

#### To Town

Snow Bowden  
Town Manager  
100 W F Street  
Erwin, NC 28339

**Article VI**  
**Miscellaneous Provisions**

1. Relationship of Parties. The parties to this Agreement shall be independent contractors, and nothing herein shall be construed as creating a partnership or joint venture; nor shall any employee of the parties be construed as employees, agents, or principals of any other party to this Agreement. Each party agrees to assume the liability for its own acts or omissions, or the acts or omissions of their employees or agents, during the term of this Agreement, to the extent permitted under law.
2. Governing Law; Venue. This Agreement shall be governed by the laws of the State of North Carolina. The venue for initiation of any such action shall be Harnett County, North Carolina Superior Court.
3. Amendments and Modifications; Additional Policies and Procedures. This Agreement may be modified or amended by mutual consent of the parties as long as the amendment is executed in the same fashion as this Agreement.
4. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and understandings, whether written or oral, relating to the subject matter of this Agreement.
5. Severability. In the event that any provision of this Agreement shall be invalid, illegal, or otherwise unenforceable, the validity, legality, and enforceability of the remaining provisions shall in no way be affected or impaired thereby.
6. No Third Party Benefits. There are no third-party beneficiaries to this Agreement. Nothing in this Agreement shall create or give to third parties any claim or right of action against the parties.
7. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together constitute one and the same instrument.
8. E-Verify: All parties shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," and will provide documentation reasonably requested by any party to this Agreement demonstrating such compliance.

IN WITNESS WHEREOF, the parties hereto caused the Agreement to be executed on their behalves.

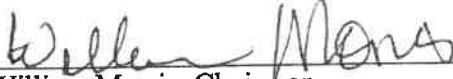
HARNETT COUNTY BOARD OF EDUCATION

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_

COUNTY OF HARNETT

  
\_\_\_\_\_  
William Morris, Chairman  
Harnett County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Melissa Capps, Clerk



TOWN OF ERWIN

\_\_\_\_\_  
Randy L. Baker  
Mayor

ATTEST:

\_\_\_\_\_  
Lauren Evans, Town Clerk

## MINUTES CONTINUED FROM MARCH 25, 2024

Mayor Baker asked if the SRO would directly receive the bonus.

Town Manager Snow Bowden clarified that the money would come to the Town and would be paid through payroll. We would need to do a budget amendment, if approved, to approve the increase.

Commissioner Byrd asked if the entire amount of the \$74,000 comes to the Town.

Town Manager Snow Bowden explained that the amount covers the base salary, as well as any benefits, such as health insurance.

Commissioner Byrd asked if the SRO was at the school 100% of the time.

Town Manager Snow Bowden explained that when school is open, yes, but when school is not open, he is doing administrative tasks and helping cover additional police duties. This is the maximum amount that the county would reimburse us. We do submit invoices to Harnett County for the reimbursements. This is a great program that is a great benefit for the Town.

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

### **ARP Grant Project Ordinance**

Town Manager Snow Bowden informed the Board that this item is a proposed amendment to the existing Grant Project Ordinance. Under the interim guideline rules, the Town purchased a new street sweeper for \$227,546.00. Under the final ruling, we have used all the additional revenues for revenue replacement. This is a standard change to be in compliance with the Federal guidelines.

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

### **Storm Water Grant Project Ordinance**

Town Manager Snow Bowden informed the Board that this Ordinance would be to adopt a budget for the project. The Town is still waiting to get a letter from the State with the intent of funds. The Grant is for \$500,000.00 but there are some changes to the amount, so the amount would be \$485,000.00, because that 1.5% does not cover administration costs. Once we get the letter of intent, the Town is planning to put out an RFQ to get an engineer to update the Stormwater Plan.

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: ARP Grant Project Ordinance

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We needed to make a few updates to our existing grant project ordinance for the funds from the American Rescue Plan. As a reminder, we decided to use the funds for revenue replacement after the final ruling came out on how the funds could be used. We did purchase a new street sweeper under the interim guidelines before the final ruling on how the funds could be used was issued.



# TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339  
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www.erwin-nc.org

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

**Amendment to Grant Project Ordinance ORD 2021-2022:001  
Town of Erwin  
American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery  
Funds  
ORD 2021-2022:001 Amendment**

**BE IT ORDAINED** by the Town council of the Town of Erwin, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following revised grant project ordinance is hereby adopted:

Section 1: This ordinance is to amend a budget for the project funded by the Coronavirus State and Local Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Erwin (Town) has received tranche one on July 13, 2021 in the amount of \$821,602.01 and tranche two on July 22, 2022 in the amount of \$821,602.01 of CSLFRF funds. The total allocation is \$1,643,204.02. These funds will be used for the following categories of expenditures, to the extent authorized by state law.

1. Under Interim Rule, purchased a Street Sweeper, allowable due to Clean Water Revolving Fund Storm water Project approved list. This equipment allows the Town to ensure roads are cleaner in the Town, so storm water from the roads going into ditches are less contaminated with pollutants.
2. Revenue Replacement to cover Government Services such as bank charges to establish new checking account and to allocate funds for Salaries and benefits, per department.

Section 2: The Town has elected to take a standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFR funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project ARP/CSLFRF Code	Project Description Description	Expenditure Category (EC)	Cost Object	of Funds
001	Street Sweeper	6.1	Equipment	\$227,546.00
002	Administration Services for July 1, 2021 – December 2024	6.1	Salaries	\$233,226.24
003	Planning Services for July 1, 2021 – December 2024	6.1	Salaries	\$ 72,099.59
004	Police Services for July 1, 2021 – December 2024	6.1	Salaries	\$714,496.02
005	Public Works-Admin. Services for July 1, 2021 – December 2024	6.1	Salaries	\$ 70,774.97
006	Public Works-Street Services for July 1, 2021 – December 2024	6.1	Salaries	\$140,887.62
007	Public Works-Sanitation Services for July 1, 2021 – December 2024	6.1	Salaries	\$ 42,464.98
008	Parks & Recreation Services for July 1, 2021 – December 2024	6.1	Salaries	\$141,549.92
009 <u>158.67</u>	Bank Charges	6.1	Admin	\$

**TOTAL**  
**\$1,643,204.02**

Section 4: The following revenues have been received and available to complete the project:

ARP/CSLFRT Funds: \$1,643,204.02

Section 5: The Finance Director is to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation in accordance with 2 CFR 200.430 & 2 CFR 200.431 .

Section 6: The Town Manager is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: This Amended Grant Ordinance shall be entered into the minutes of the Board after adoption and copies furnished to the Town Manager, Finance Director and to the Clerk to Town Council.

Section 8: This Amended Grant Project Ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this 4th day of April, 2024

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Randy Baker  
Mayor

Attest:

---

Lauren Evans  
Town Clerk





# TOWN OF ERWIN

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**Mayor**  
Patsy M. Carson  
**Mayor Pro Tem**  
Randy L. Baker  
**Commissioners**  
William R. Turnage  
Thurman E. Whitman  
Alvester L. McKoy  
Ricky W. Blackmon  
Melinda Alvarado

## A GRANT PROJECT ORDINANCE FOR THE TOWN OF ERWIN AMERICAN RESCUE PLAN

ORD 2021-2022: 001

**BE IT ORDAINED** by the Board of Commissioners of the Town of Erwin, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. This project is authorized for any project that is authorized to be completed with the funds in the American Rescue Plan.

Section 2. The following revenues are anticipated to be available to complete the project:

American Rescue Plan Initial Allotment \$755,000

American Rescue Plan Second Allotment \$755,000

**Total** **\$1,500,000**

Section 3. The following expenditures are expected to be incurred during this project. That will require additional approval from the Board of Commissioners of the Town of Erwin, North Carolina.

Contracted Services \$755,000

Miscellaneous Expense \$755,000

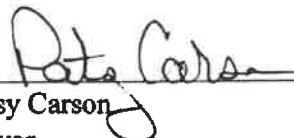
**Total** **\$1,500,000**

Section 4. The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting required by any financing agreement associated with this project and/or State and Federal Regulations


Section 5. The Town Manager is hereby directed to report quarterly on the financial status of each project element and on the financial status of each project element and on the total revenues received or claimed.

Section 6. The Grant Project Ordinance shall be entered into the minutes of the Board after adoption and copies thereof shall be filed with the Town Clerk.

Adopted this 28<sup>th</sup> day of June 2021.

  
\_\_\_\_\_  
Patsy Carson  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Lauren Evans  
Town Clerk

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Storm Water Grant Project Ordinance

---

We have submitted all the requested documentation to the State of North Carolina. We are waiting to receive a letter of intent to fund the project from the State of North Carolina. Once we receive that letter we will put out an RFQ to find an engineering firm to help us with this project. There is a lot of interest in this project. The plan with this grant is to create a storm water management plan by mapping our storm water system.



# TOWN OF ERWIN

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Charles L. Byrd  
David L. Nelson  
William R. Turnage

**Storm Water Grant Project Ordinance**  
**ORD 2023-2024 : 008**  
**Town of Erwin**  
**Storm water Management**  
**NCDEQ – Division of Water Infrastructure**  
**S.L. 2023-134 Water/Sewer Directed Projects**

**BE IT ORDAINED** by the Town council of the Town of Erwin, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to adopt a budget for the project funded by the NCDEQ Division of Water Quality, Division of Water Infrastructure for S.L. 2023-134 Water/Sewer Directed Projects. The Town of Erwin (Town) will receive the amount of \$485,000 for a storm water Management Plan. These funds will be used for the following category of Engineering Cost: Engineering Design \$485,000. to the extent authorized by state law.

Section 2: The following amounts are appropriate for the project and authorized for expenditure:

<b>Project Budget</b>	<b>Funding Amount</b>	<b>Total Cost Amount</b>
	<b>From</b>	
	<b>S.L. 2023-134</b>	
Engineering Cost/Design \$485,000	\$485,000	

Section 3: The following revenues will be available to complete the project:

NCDEQ, Division of Water Infrastructure Funds:	\$485,000
--	-----------

Adopted this 4th day of April 2024

\_\_\_\_\_  
Randy Baker  
Mayor

Attest:

\_\_\_\_\_  
Lauren Evans  
Town Clerk

## MINUTES CONTINUED FROM MARCH 25, 2024

### **Historical Bench Program**

Town Manager Snow Bowden presented the proposed program to preserve the Town's history. There would be a committee that would be comprised of members from the Historical Society, Chamber of Commerce, Planning Board, Lions Club, a Town Resident, and a Town Staff member. The benches would be placed in various parts of the Town that have historical significance. The benches would be sponsored in honor of family members and residents of Erwin who have passed away. There would be a requirement for background checks to ensure the Town is being represented well.

Commissioner Byrd asked what the cost of the benches would be.

Town Manager Snow Bowden stated that the approximate cost would be around \$1200.00 per bench.

Mayor Baker stated that the benches would be covered by donation at no cost to the Town, other than the maintenance of the grass. He thinks it is a program that represents Town History and pride in Erwin. The Committee would have a pre-approved design for each area of historical significance, and then the donations would pay for that bench. The bench would have a small plaque next to it with the honoree's name on it.

Town Attorney Tim Morris said he recommends that there are specific guidelines for the membership of the committee, such as residency. He also said he supports the background checks.

Commissioner Turnage said he was approached by a resident who had been asking about placing a bench at the Rail Trail. He asked if we would have an issue with putting benches along the trail.

Town Manager Snow Bowden answered that because the Rail Trail is Harnett County property, we would have to have permission from them before placing the benches.

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

### **Community Building Renovation**

Town Manager Snow Bowden stated that we've had a hard time getting bids for the Community Building Renovation. We've only gotten one quote for \$89,000.00. This would include taking out a wall in a closet, expanding the women's bathroom, and making the bathrooms ADA compliant. Our last bid was \$100,000.00, so this quote is better than expected and is within the budgeted amount.

Commissioner Byrd asked what all this quote includes.

Town Manager Snow Bowden said this would include tile, fixtures, paint, flooring, moving plumbing, lighting, and sinks.

Mayor Baker stated that this is grant funding we received from Representative Penny.

**MINUTES CONTINUED FROM MARCH 25, 2024**

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

**Town Attorney Tim Morris exited the meeting at 6:18p.m.**

**Al Woodall Park Gym Roof**

Town Manager Snow Bowden presented quotes to replace the existing metal roof with a new metal roof. The new roof will not have the skylights that are currently in place. We did only budget \$60,000.00 for this project, and will have to do a budget amendment to cover the additional costs.

NKS Contracting came in with a quote of \$79,851.59, and Pope Builders came in with a quote of \$73,750.00. Both builders are somewhat local and do good work.

Mayor Baker asked if the quotes cover the same items, since one is so detailed and one is pretty basic.

Town Manager Snow Bowden said he has been assured by Parks and Recreation Director Doug Stevens that the quotes cover the same items.

Commissioner Byrd stated he would like to see a comparison of the contractors and get a more detailed quote from Pope Builders.

**The consensus of the Board was to bring this item back to the Workshop in June.**

**Red Hill Church Road Preliminary Plat**

Town Planner Dylan Eure presented a proposed Major Subdivision off Red Hill Church Road, which would be within the Erwin ETJ. This is for Harnett County Tax PIN 1507-47-5272 and is for 12 SFD to be built. It will include a new NCDOT road being built and then turned over to NCDOT.

There would be a number of required improvements, such as soil and water erosion, construction of road standards, and Harnett Regional Water updates. Currently there are issues with water pressure in that area. The Fire Marshall requires 500gpm and the current readings are only at 404gpm. HRW has plans in place to upgrade to meet minimum requirements. The developer has stated that they are willing to make upgrades to meet those requirements as well.

Mayor Baker asked if the proposed plans meet or exceed our preliminary guidelines.

Town Planner Dylan Eure stated that yes, they do, and that they have a planned cul-de-sac for emergency services turnaround. This would have to meet NCDOT requirements.

Town Engineer Bill Dreitzler stated that NCDOT would review the plans for the roadway and once approved, would submit a letter of Roadway Design.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Historical Bench Program

---

The Town would like to undertake a project to improve the appearance of the community, and find a way to show off and preserve our rich history with a "Historical Bench Trail". The proposed plan calls for benches to be placed in certain areas that can be placed in memory or in honor of someone. The proposed plan calls for benches that are similar to the bench that was placed in front of the Erwin History Room for Aiden Johnson's Eagle Scout project. The proposed benches would not be as detailed as that bench. They would have one design on them per bench. Each design would be determined and approved by Town Staff. The placement of each bench will be near the area that the design is in honor of. As an example, a bench in honor of the Erwin Mill would be placed near the site of the Central Carolina Industrial Park (the former site of the Erwin Mill).

Some of the proposed locations would require the Town to obtain permission to place the bench. The proposed plan calls for people to make donations to cover the entire cost of each bench. There would be no cost to the Town. There is a similar program in the Town of Wake Forrest, NC that has been successful. The benches would be made and installed by R&M Metal Works. R&M Metal Works is a company located in the Town of Erwin.

## **Erwin Historical Bench Committee Background, Purpose, and Guidelines**

### **Background:**

The Town of Erwin has been an area of rich history since its inception in 1903 under its former name of Duke. Since then many changes and evolutions have taken place to produce what Erwin is today. Even though many things have changed throughout the community of Erwin the importance of its history has not. Citizens of Erwin enjoy their deep ties to the area and what their ancestors did in order to create what the town is today. Therefore citizens shall have the ability to donate and give back to the history of Erwin for all to enjoy and learn from. It has been deemed that benches shall be placed in areas of historical significance provided by donations from the public in order to cement Erwin's deep historical roots and to honor loved ones who have provided much for the town.

### **Purpose and Composition:**

The purpose of the Historical Bench Committee is to (i) designate locations to be significantly historical for benches to be placed, (ii) approve design of benches placed, (iii) approve name plate if purchased (iv) oversee the historical bench project, (v) ensure funds received for benches are being used solely for the building and installing of benches, (vi) report any damage that can be seen to be fixed if feasible.

Composition of the committee shall be made of

- 2 members of the Erwin Historical Society
- 1 member from the Erwin Board of Commissioners
- 1 member from the Erwin Area Chamber of Commerce
- 1 member of the Erwin Planning Board
- 1 member from the Erwin Lions Club
- 1 at-large resident living in Erwin
- 1 Town Staff member

### **Meetings:**

The Historical Bench Committee shall meet once every quarter to discuss any relevant updates on any potential sites for benches, progress of installation of benches, design of benches and any other business relating to the Historical Bench Committee.

### **Duties and Responsibilities:**

- Erwin's Town Manager or their designee will be responsible for handling bench request and possible locations to be approved by the board



- The Town of Erwin shall be responsible for the handling of funds donated by the public being used for the purchasing and installation of benches.
- The Erwin Historical Bench Committee shall reserve the right to deny certain language or quotes on any memorial plaques if they are deemed to be profanity or indecent.

### **Design of Benches:**

It is the purpose of the Erwin Historical Bench Project to install benches that are designed to memorialize locations of historical significance to the Town's original founding, along with significant character defining locations. All designs on benches shall be in agreement with the location in which they are placed.

### **List of Designated Sites:**

- Next to Erwin Fire and Rescue Department
  - Bench to memorialize the Erwin Fire and Rescue Department
- Near the gazebo on the Central Carolina Industrial Park
  - Bench to memorialize the mill
- First block of East H Street (two benches on the Dunn-Erwin Rail Trail)
  - Bench to memorialize the first bank in Erwin and the Old Park Center
- Bench on the fourth block of East H Street (near Good Hope Hospital)
  - Bench to memorialize Good Hope Hospital
- Bench near East F Street and Erwin Elementary
  - Bench to memorialize Erwin High School
- Bench near Presbytery of Coastal Carolina
  - Bench to memorialize one of the first churches of Erwin
- Bench near Cape fear River Park
  - Bench to memorialize the Riverview Airport/ Erwin Airport / original bridge
- Bench near Police Department
  - Bench to Memorialize those who have served in the armed forces and those who have served in the police department

### **Policies for Benches**

- Donor will be responsible for 100% of the cost of the bench/installation.
- Duplicate bench designs will not be allowed.
- Donors cannot design their own bench.
- If a resident has a suggestion for a bench design, they can submit it to the Town Manager or his designee for their consideration.
- The person or business owner that makes the donation will be required for the full costs of the bench including the installation of the bench.

- Bench locations will be predetermined by the Town of Erwin Staff and the Historical Bench Committee.
- Benches shall be placed in locations of town that are considered to be “historically significant” by the Town Board or their designated appointee(s).
- The design on each bench will be predetermined by Town of Erwin Staff and the Historical Bench Committee based of the historical location in which it will reside.
- At the donor’s option, the name of the loved one (or business name) may be memorialized with a small plaque next to the bench.
  - Ex: This bench was donated by \_\_\_\_\_ in honor/memory of \_\_\_\_\_.
  - Name on plaque shall require a background check prior to bench placement.
  - No inappropriate language nor lyrics shall be posted on the plaque.
- Non-perishable items such as photos, plastic flowers and beads are not permitted and shall be removed.
- The Town of Erwin will make every reasonable effort to maintain the benches but will not be responsible for acts of nature, damage or vandalism.
- At the Town’s discretion, the town may make repairs to the bench if feasible. But are not required to replace or repair any damaged benches.
- The Town of Erwin reserves the right to remove or relocate a bench if the Town determines that removal is in its best interest.
- Benches will be placed as donations for benches are received in complete amount and designated builder of said benches are complete with the building of said bench and has been approved by the Historical Bench Committee.



# Town of Erwin

## Historical Bench Naming Rights Application

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Email \_\_\_\_\_

Would you like to have a name memorialized on a plaque next to the bench?

Yes

No

Would you be willing to have a background check performed for the name on the plaque?

Yes, I would be willing to have a background check preformed for the name of the individual on the memorial plaque.

No, I would not be willing to have a background check preformed for the name of the individual on the plaque.

Name of individual or organization:

\_\_\_\_\_

Historical location chose \_\_\_\_\_

Plaque message \_\_\_\_\_

# BENCHMARKING FOR OUR HISTORY

Honorable Mayor Baker

&

Erwin Town Commissioners

## A BENCH FOR OUR PAST

The Town of Erwin and its Board of Commissioners along with the Mayor find that the history of the community to be of utmost importance and should be remembered by its community members and visitors. Therefore, a historical bench program shall be established for citizens and others to purchase approved benches through the town at specific locations to memorialize our Town's rich historical background.

## HISTORICALLY RICH COMMUNITY

The Town of Erwin has a vibrant and rich history which goes back decades even prior to the Town's incorporation in 1967 and its change of name in 1927 when the name was changed to Erwin from Duke. Textiles not only built North Carolina, but was the predominate reason Erwin is what it is today. Starting off as a mill town in the early 1900's Erwin has withstood the test of time and has continued to change and evolve since those days to become what it is now, a thriving and growing community along the Cape Fear. However, even though the Town changes our commitment to our past, present, and future does not. This being said, to honor our past a historical bench program shall be established to commemorate locations within our Town that shaped what it is today.

# PROGRAM POLICES

- Erwin's Town Manager or their designee will be responsible for handling bench request and possible locations to be approved by the board
- The Town of Erwin shall be responsible for the handling of funds donated by the public being used for the purchasing and installation of benches.
- Donor will be responsible for 100% of the cost of the bench/installation.
- Duplicate bench designs will not be allowed.
- Donors cannot design their own bench.
- If a resident has a suggestion for a bench design, they can submit it to the Town Manager or his designee for their consideration.
- The person or business owner that makes the donation will be required for the full costs of the bench including the installation of the bench.
- Bench locations will be predetermined by the Town of Erwin Staff and the Historical Bench Committee.
- Benches shall be placed in locations of town that are considered to be "historically significant" by the Town Board or their designated appointee(s).
- The design on each bench will be predetermined by Town of Erwin Staff and the Historical Bench Committee based of the historical location in which it will reside.
- At the donor's option, the name of the loved one (or business name) may be memorialized with a small plaque next to the bench
  - Ex: This bench was donated by \_\_\_\_\_ in honor/memory of \_\_\_\_\_.
  - Name on plaque shall require a background check prior to bench placement.
  - No inappropriate language nor lyrics shall be posted on the plaque.
- Non-perishable items such as photos, plastic flowers and beads are not permitted and shall be removed.
- The Town of Erwin will make every reasonable effort to maintain the benches but will not be responsible for acts of nature, damage or vandalism.
- At the Town's discretion, the town may make repairs to the bench if feasible. But are not required to replace or repair any damaged benches.
- The Town of Erwin reserves the right to remove or relocate a bench if the Town determines that removal is in its best interest.
- Benches will be placed as donations for benches are received in complete amount and designated builder of said benches are complete with the building of said bench and has been approved by the Historical Bench Committee.

## SITE LOCATIONS

- Next to Erwin Fire and Rescue Department
- Bench to memorialize the Erwin Fire and Rescue Department
- Near the gazebo on the Central Carolina Industrial Park
  - Bench to memorialize the mill
- First block of East H Street (two benches on the Dunn-Erwin Rail Trail)
  - Bench to memorialize the first bank in Erwin and the Old Park Center
  - Bench on the fourth block of East H Street (near Good Hope Hospital)
  - Bench to memorialize Good Hope Hospital
- Bench near East F Street and Erwin Elementary
  - Bench to memorialize Erwin High School
  - Bench near Presbytery of Coastal Carolina
  - Bench to memorialize one of the first churches of Erwin
- Bench near Cape fear River Park
  - Bench to memorialize the Riverview Airport/ Erwin Airport / original bridge
  - Bench near Police Department
  - Bench to Memorialize those who have served in the armed forces and those who have served in the police department



SITE MAP



## REQUEST FOR HISTORICAL BENCH COMMITTEE

- To ensure that all major historical locations within the municipal jurisdiction are accounted for, the Town of Erwin staff recommend that a Historical Bench Committee be formed to give insight and recommendations where Benches should be located.

To ensure accuracy the committee should include at minimum:

- 2 members of the Erwin Historical Society
- 1 member from the Erwin Board of Commissioners
- 1 member from the Erwin Area Chamber of Commerce
- 1 member of the Erwin Planning Board
- 1 member from the Erwin Lions Club
- 1 at-large resident living in Erwin
- 1 Town Staff member



# TOWN OF ERWIN

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## RESOLUTION ESTABLISHING THE ERWIN HISTORICAL BENCH COMMITTEE

April 4<sup>th</sup>, 2024

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

**WHEREAS**, the Town of Erwin has been rich in history since its inception in 1903 under its former name of Duke Township and its official incorporation in 1967 under the name of Erwin; and

**WHEREAS**, since the Town's inception and incorporation many changes have taken place to create what Erwin is today at its current state; and

**WHEREAS**, it is the belief of Citizens that they should be allowed to purchase benches to be installed within areas of historical significance through solicitation of the Town of Erwin; and

**WHEREAS**, it is the belief of the Erwin Board of Commissioners and Town Staff that locations of historical significance to the Town be memorialized to preserve its rich history and to retain its character through growth and development to continue share Erwin's deep historical roots.

**THEREFORE**, the Erwin Historical Bench program be established to memorialize historical locations within Town to help preserve its rich character and culture.

**THEREFORE**, the Erwin Historical Bench Committee be established to manage requests and locate areas of historical significance for the Historical Bench Program.

**THEREFORE, BE IT RESOLVED** that the recommended policies and guidelines be adopted and enacted in regards to the Erwin Historical Bench Program to ensure that historical locations within the Town of Erwin are celebrated and remembered for generations to come.

**ADOPTED**, this the 4<sup>th</sup> day of April, 2024.

**ATTEST:**

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**Randy Baker**  
Mayor

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**Lauren Evans NCCMC**  
Town Clerk

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Community Building Renovation

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We have had a hard time trying to get bids to complete this project. We have reached to other firms and we have not had any interest in the project. The last quote that we had on this project was over \$100,000.00. We have a quote to complete the renovations of the bathrooms at the Erwin Community Building. The quote is for \$89,000.00. The quote is from a creditable company that should do a good job. This quote is within the budgeted amount for this project. We should be able to complete some other minor improvements such as painting the building and fix the crown molding as well once we get the bathrooms renovated.

**Kevin Tyndall Builders, Inc.**

1014 West Core Road  
 Dunn, NC 28334  
 Phone # (910) 237-4237

**Estimate**

Date	Estimate #
3/7/2024	3838

tyndallbuilders@embarqmail.com

Town of Erwin

Description	Supervisor	Project
	Community Building	Community Building
	Qty	Total
Erwin Community Building Bathroom Remodel Demo - Including removing all tile, concrete floor, block wall and fixtures Dispose of all debris Plumbing - To include removing all drain lines, water lines. Replacing with new lines and all new fixtures Repour concrete floor Install wiring as needed on walls removed including new lights, heaters, etc. Install new masonry walls as needed to enlarge bathroom and handicap accessories. Install new bathroom stall surrounds Install new vanities, sinks, etc Install new tile floor Paint to customers preferences Material and Labor		89,000.00
<b>Total</b>		<b>\$89,000.00</b>

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Al Woodall Park Gym Roof

---

We have two quotes to replace the roof on the gym at Al Woodall Park. We want to replace the existing metal roof with a new metal roof. Both quotes also include replacing the insulation that is under the roof. The proposed new roof will not have skylights in it like the current one has. In the current budget, we included funds of \$60,000.00 to complete this project. We have funds that we could transfer in the current budget to complete this project.



**NKS Contracting LLC**  
 390 Bumpas Creek Access  
 Dunn, NC 28334  
 Phone: 919-701-6504

03/08/2024  
 Claim Information

**Company Representative**  
 J.D. Hartman  
 Phone: (910) 984-7699  
 jdhartman@nkscontracting.com

Erwin Park Gym Roofs and Gutter Replacement Estimate

**Doug Stevens**  
**Erwin Parks**  
 810 South 16th Street  
 Erwin, NC 28339  
 (910) 985-0844

Job: Doug Stevens

**Gym Main Roofing Section**

- Remove existing roofing metal and insulation down to the metal framing on the gym main roof. (Skylights are not to be installed on new roof.)
  - Install new 3" insulation with white coating inside.
  - Install new Union Corrugating 24 gauge PBR metal roofing system. All panels, trim pieces and sealants needed are included. (Color - Patriot Red)
  - Clean up and haul off all job related debris.
  - Five Year Labor Warranty, Union Corrugating 40 Year Paint Warranty and 25 Year Metal Substrate Warranty Included.
  - Our crews are licensed and insured.
  - Crews will maintain all safety requirements during the construction process.
- Due to the steadily increasing price of materials, this estimate is only good for 30 days.

	Qty	Unit
PBR Roof Panels	2079.00	LF
RP08 Drip Edge Trim	20.00	EA
RP10 Sculpted Rake Trim	13.00	EA
PBR Panel Formed Ridge Cap	33.00	EA
1.5" Ultimate Self Tapping Screws	9.00	BX
1/4" rivets	5.00	BX
PBR Inside Closure Strips	66.00	EA
Butyl Tape - Double Bead - 7/8"	62.00	RL
Urethane Caulking - Clear	12.00	EA
Touch Up Paint - .6 oz	3.00	EA
R-11 Eco-Touch Fiberglass Faced Insulation System	1.00	EA
Labor - Remove and Replace Metal Roofing and Insulation	61.75	SQ
Material Shipping	1.00	EA
Other - Dump Fees	2.00	EA
Scissor Lift Rental	1.00	EA

**\$68,169.20**

**Concessions / Bathrooms Roofing Section**

- Remove existing roofing metal down to the roof decking on the concession / bathroom area.
- Re-nail any loose wood. If bad or rotten wood is discovered, it will be replaced at a additional price of \$70 per sheet. 2 pieces of plywood/OSB included at no charge if needed.

- Install new synthetic underlayment.
- Install new Union Corrugating 26 gauge Master Rib metal roofing system. All panels, trim pieces and sealants needed are included. Reuse the existing wall flashing. (Color - Patriot Red)
- Install new fascia trim.
- Clean up and haul off all job related debris.
- Five Year Labor Warranty, Union Corrugating 40 Year Paint Warranty and 25 Year Metal Substrate Warranty Included.
- Our crews are licensed and insured.
- Crews will maintain all safety requirements during the construction process.

- Due to the steadily increasing price of materials, this estimate is only good for 30 days.

	Qty	Unit
26 Gauge Master Rib Panels	276.57	LF
FT02 6" T style Drip Edge	9.00	EA
PF01 Ridge Cap Trim	4.00	EA
PF19 5.25" L Fascia	9.00	EA
1.5" Ultimate Wood Screws	3.00	BX
2" Ultimate Wwod Screws	1.00	BX
Butyl Tape - Double Bead - 7/8"	1.00	RL
Urethane Caulking - Clear	3.00	EA
MF3 Pipe Boot	2.00	EA
Universal Closure - 50'	2.00	RL
MR Outside Closure Strip	13.00	EA
MR Inside Closure Strip	30.00	EA
Electro Galvanized Roofing Nails - 1 1/4" (10 lb)	1.00	BX
Stainless Steel Trim Nails - 1 1/4" (1 lb)	1.00	BX
Repel Synthetic Underlayment - 10 sq	1.00	RL
Touch Up Paint - .6 oz	1.00	EA
Labor - Remove and Replace Master Rib Metal Roofing System	7.00	SQ
Other - Dump Fees	1.00	EA

**\$6,172.62**

### Main Building Gutter Section

- Remove the existing gutters and downspouts from the main gym building.
- Install new Union Corrugating 26 gauge 6" D style commercial gutters. (Color - Black)
- Install new 26 gauge 3" x 4" downspouts. (Color - Black)
- Clean up and haul off all job related debris.
- Five Year Labor Warranty, Union Corrugating 40 Year Paint Warranty and 25 Year Metal Substrate Warranty Included.
- Our crews are licensed and insured.
- Crews will maintain all safety requirements during the construction process.

- Due to the steadily increasing price of materials, this estimate is only good for 30 days.

	Qty	Unit
GT06 6" D-style Gutter	20.00	EA
GT06 Gutter End Cap - Right	2.00	EA
GT06 Gutter End Cap - Left	2.00	EA
DS34 3"x4" Downspout	11.00	EA
3"x4" Square Outlet Tube	6.00	EA
DX01 Gutter Strapping	4.00	EA
6" Hidden Gutter Hanger	102.00	EA
Stainless Steel Rivets	2.00	BX
1" Self Tapping Screws	1.00	BX



Urethane Caulking - Clear	6.00	EA
Touch Up Paint - .6 oz	1.00	EA
Labor - Remove and Replace Commercial Gutters and Downspouts	283.00	LF
		<b>\$4,977.17</b>

<b>Sub Total</b>	<b>\$79,318.99</b>
Tax	\$532.60
<b>TOTAL</b>	<b>\$79,851.59</b>

\_\_\_\_\_  
Company Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Customer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Customer Signature

\_\_\_\_\_  
Date

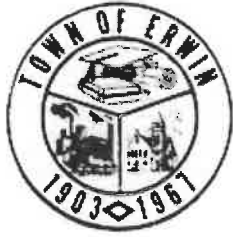


Erwin Park Gymnasium

810 South 16th Street Erwin, NC 28339

- Remove existing roof metal, as well as insulation
- Install 4" R13 (WMP-VRR) Faced insulation
- Install 24 ga. PBR Union metal roofing system on the main structure
- Install 26 ga. multi-ribbed metal on the rear of structure (this is on the back of the building over the concession stand and restrooms)
- Install commercial box gutters & downspouts on main structure
- 5 yr labor warranty included
- All debris to be hauled away
- All work completed by Licensed North Carolina General Contractor #79853
- Provide all permits as needed

Total: \$73,750



# TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339  
Phone: 910-897-5140 • Fax: 910-897-5543  
[www.erwin-nc.org](http://www.erwin-nc.org)

03 25 2024

## Red Hill Church Major Subdivision Memorandum

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

### Subdivision Description

The Town of Erwin has received and preliminary major subdivision plat for 12 single-family homes zoned as RD (Rural District) to be built off of Red Hill Church Road located by its Harnett County Tax Pin 1507-47-5272 by the applicant Long Land Development. Said subdivision is within the Town of Erwin's Planning Jurisdiction and approximately .6 of a mile north of the Town's corporate limits and is 8.13 acres in size. Homes on said subdivision will have lot sizes varying from 25,000 Sq. Ft to 30,000 Sq. Ft. To access the said subdivision the developer intends to build a residential street built to NCDOT road standards and be later turned over to NCDOT for the maintenance of the road. Prior to the naming of the street and final plat submission the developer must ensure that there are no other roads sharing the same name within the Town through Harnett County.

According to Harnett County GIS both watershed HUC8 and HUC12 go through the south of the property. Prior to the issuance of the final plat, a permit from North Carolina Department of Environmental Quality. Along with receiving approval from NCDEQ in regards to storm water due to the project being over 1 acre. Due to the fact that sewer is not accessible to the property all homes to be built must be on their own septic tank, which has already been approved by a licensed soil scientist.

### Regulation

Per The Erwin Code of Ordinances subdivision section, along with RD zoning classifications all requirements for preliminary plats have been met and the produced residential lots are compliant with all RD zoning regulations including lot size, required frontage, and width.

### Required Improvements

Prior to the final plat being submitted the applicant must show that they have made all of the required improvements per Erwin's subdivision ordinances, meet all RD zoning regulations, and obtain the proper permits from affiliated agencies. Upon submission of the final plat the



Town of Erwin  
**Zoning Application & Permit**  
 Planning & Inspections Department

Permit #

Rev Sep2014

Each application should be submitted with an attached plot/site plan with the proposed use/structure showing lot shape, existing and proposed buildings, parking and loading areas, access drives and front, rear, and side yard dimensions.

Name of Applicant	HAROLD LONG	Property Owner	LONG LAND DEV. LLC
Home Address	9404 NORTHFIELD CT.	Home Address	SAME
City, State, Zip	RAE, NC 27603	City, State, Zip	
Telephone	919-810-6151	Telephone	
Email	HALLONG@ATT.NET	Email	

Address of Proposed Property	RED HILL CHURCH RD. ERWIN NC		
Parcel Identification Number(s) (PIN)	1507-47-5272.000	Estimated Project Cost	TBD, 400K
What is the applicant requesting to build / what is the proposed use of the subject property? Be specific.	RESIDENTIAL SUBDIVISION / 12 LOTS		
Description of any proposed improvements to the building or property	ROAD, COUNTY WATER		
What was the Previous Use of the subject property?	VACANT / AGRICULTURE		
Does the Property Access DOT road?	YES		
Number of dwelling/structures on the property already	0	Property/Parcel size	8.13 ACRES
Floodplain SFHA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Watershed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>MUST</b> circle one that applies to property	Existing/Proposed Septic System Or Existing/Proposed County/City Sewer		

**Owner/Applicant Must Read and Sign**

The undersigned property owner, or duly authorized agent/representative thereof certifies that this application and the forgoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. The undersigning party understands that any incorrect information submitted may result in the revocation of this application. Upon issuance of this permit, the undersigning party agrees to conform to all applicable town ordinances, zoning regulations, and the laws of the State of North Carolina regulating such work and to the specifications of plans herein submitted. The undersigning party authorizes the Town of Erwin to review this request and conduct a site inspection to ensure compliance to this application as approved.

HAROLD LONG, PRES.		2/22/24
Print Name	Signature of Owner or Representative	Date

**For Office Use**

Zoning District	MD	Existing Nonconforming Uses or Features	
Front Yard Setback	40 FT	Other Permits Required	<input type="checkbox"/> Conditional Use <input type="checkbox"/> Building <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Other
Side Yard Setback	17 FT	Requires Town Zoning Inspection(s)	<input type="checkbox"/> Foundation <input type="checkbox"/> Prior to C. of O.
Rear Yard Setback	40 FT	Zoning Permit Status	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
		Fee Paid: 420	Date Paid: Staff Initials:

Comments	Major Sub, Preliminary, Planning Board / TOWN COMMISSION approval
----------	---

Signature of Town Representative:	Date Approved/Denied:
-----------------------------------	-----------------------

12 homes to be built.



Tony West <tony@myintegrarealty.com>  
To: Dylan Eure; Hal Long <hallong@att.net>



Fri 3/8/2024 12:45 PM

Dylan and Hal,

Seller and I give permission to Hal Long / Long Land Development to submit a preliminary plat for a Town Board Meeting concerning 0 Redhill Church Rd (PIN # is 1507-47-5272). We are ok with Hal Long / Long Development Company addressing any matters concerning this tract of land with the Town Board. Please let me know if you have additional questions or concerns. Thanks, Tony.

February 13, 2024

Longland Realty Inc.  
9404 Northfield Court  
Raleigh, North Carolina 27603-9209

Attention: Mr. Hal Long

Reference: **Report for Detailed Soil/Site Assessment for Septic System Suitability  
Red Hill Church Road Subdivision Site**  
Erwin, Johnston County, North Carolina

Dear Mr. Long:

We have performed a detailed soil and site assessment on the above referenced property. Our assessment was performed to determine areas of soil that have potential for subsurface wastewater treatment and disposal with individual on-site wastewater (septic) systems as part of the preliminary planning process for a proposed single-family residential subdivision.

### ◆ **Background Information**

The site is located on the south side of Red Hill Church Road in Erwin, Harnett County, North Carolina, is approximately 8.46-acres in size, and is further identified by Harnett County PIN: 1507-47-5272. The site is depicted on the attached U.S. Department of Agriculture (USDA) Soil Conservation Service (SCS) Harnett County Soil Survey Exhibit (**Figure 1**), U.S. Geologic Service (USGS) Topographic Exhibit (**Figure 2**), and 2021 Color Aerial and Topographic Exhibit (**Figure 3**).

### ◆ **Scope of Services**

In order to perform the detailed site and soil assessment, the site was traversed and the landscape was observed (slope, drainage patterns, past use, etc.) as well as soil conditions (depth, texture, structure, seasonal wetness, restrictive horizons, etc.) through the use of hand auger borings. The site was evaluated during dry soil conditions. From these observations, a detailed evaluation of the site was developed, relative to subsurface treatment and disposal of wastewater. The soil/site evaluation criteria used is that contained in 15 A NCAC 18A .1900 "Laws and Rules for Sewage Treatment and Disposal Systems".

Numerous hand auger borings were made throughout the site, were flagged in the field, located with a GPS receiver and are shown on the attached Soil Assessment Exhibit (**Figure 4**). The "Red Hill Church Road Subdivision Soil Data" table on the attached **Figure 4** lists the auger boring location number, the subsurface horizon texture, the depth to the seasonal high water table (SHWT), and the recommended long term acceptance rate (LTAR).

---

## ◆ Findings

The areas with red soil borings that are numbered on the attached **Figure 4** represent areas that are potentially suitable and contain soils with predominately sandy clay textured subsurface horizons. These areas have a minimum of 24 inches to SHWT indicators and a minimum of 36 inches to unsuitable soil structure and are similar to the Marlboro soil series.

It should be noted that clay textured soils belong to Soil Group IV classification and are provisionally suitable with regard to soil texture, and the recommended long-term acceptance rate is 0.25 to 0.3 gallons/day/square feet (gpd/ft<sup>2</sup>).

## ◆ Regulatory Considerations

Soils greater than 24 inches deep to unsuitable characteristics may be considered for use with various types of septic systems. These systems include the gravelless trenches such as the chamber and polystyrene aggregate trench systems. Soils that are at least 24 inches deep located on gently sloping landforms may be permitted with shallow conventional trenches per 15A NCAC 18A Laws and Rules for Sewage Treatment and Disposal Systems Rule.1956 (1). Shallow trenches do require at least 6 inches of soil cover to be placed over the trenches. Conventional septic systems with trench bottoms placed 18 inches below the surface can be sited on soils with usable soil depths at least 30 inches below the surface.

Once potentially useable areas are located through vertical borings, the next consideration is the horizontal extent of those areas. The size and configuration of the useable soil area dictate the utility of that area. The size of a subsurface disposal field is determined by: 1) the design flow from the source, and 2) the long term acceptance rate (LTAR) of the soil (based on the hydraulic conductivity of the soil, a function of the soil's texture, mineralogy, structure, porosity, etc.). The configuration must be such that an efficient layout of disposal lines (on contour) is possible. An additional consideration is the required setbacks for the system from various elements. Some relevant setbacks to subsurface septic systems are as follows.

Any building foundation	5 feet
Any property line	10 feet
Basement	15 feet
Surface waters	50 feet
Any private or public water supply source	100 feet
Top of slope of embankments or cuts of two feet or more vertical height	15 feet

A list of additional setbacks can be found in Rule.1950.

The site plan for each proposed lot must ensure that adequate soil area for system and repair is unaffected by site elements (house placement, driveway, wells, patios, decks, etc.) on that, or adjacent lots. The area ultimately designated by the health department on the site plan for the septic system and repair must remain undisturbed (no mechanical clearing, excavation, heavy traffic or other significant site

**Report for Detailed Soil/Site Assessment for Septic System Suitability  
Red Hill Church Road Subdivision Site**  
Erwin, Johnston County, North Carolina

disturbing activities) until authorized by the health department. A lot with initially adequate useable soil area may be rendered unusable as a result of improper site planning and/or disturbance.

An individual septic system permit will be required for each lot prior to obtaining a building permit. Only after developing this information can a final determination be made concerning specifics of system design and site utilization.

◆ **Limitations**

This report is limited to the above referenced project and client and no other uses are authorized. This report identifies the general location of potentially usable soils for on-site wastewater treatment and disposal systems, and does not constitute or imply approval for permit, as required by the appropriate regulatory agency. Soil evaluations are done based on interpretations of the rules governing wastewater treatment and disposal systems and are not guarantees for site approval. This evaluation consists of a soil scientist evaluation and a more detailed soil evaluation will be necessary to determine total usable areas. The rules governing wastewater treatment (interpreted and governed by local and state agencies) are evolving constantly, and in many cases, affected by the opinions of individuals employed by these governing agencies. Because of this, I cannot guarantee that any areas will be permitted by the governing agencies. I recommend that anyone making financial commitments on a tract be fully aware of individual permit requirements on that site prior to final action.



**Report for Detailed Soil/Site Assessment for Septic System Suitability  
Red Hill Church Road Subdivision Site**  
Erwin, Johnston County, North Carolina

◆ **Closing**

If you have any questions or need additional information, please call me at (919) 801-3798.

**Sincerely,**



Walter Cole  
NC Licensed Soil Scientist #1267  
Registered Environmental Health Specialist #1510

- Encl. **Figure 1:** USDA-NRCS Halifax County Soil Survey Exhibit  
**Figure 2:** USGS Topographic Quadrangle Exhibit  
**Figure 3:** 2021 Color Aerial and Topographic Exhibit  
**Figure 4:** Soil Assessment & Septic System Layout Exhibit



### TYPICAL SOIL PROFILE DESCRIPTION - MARLBORO

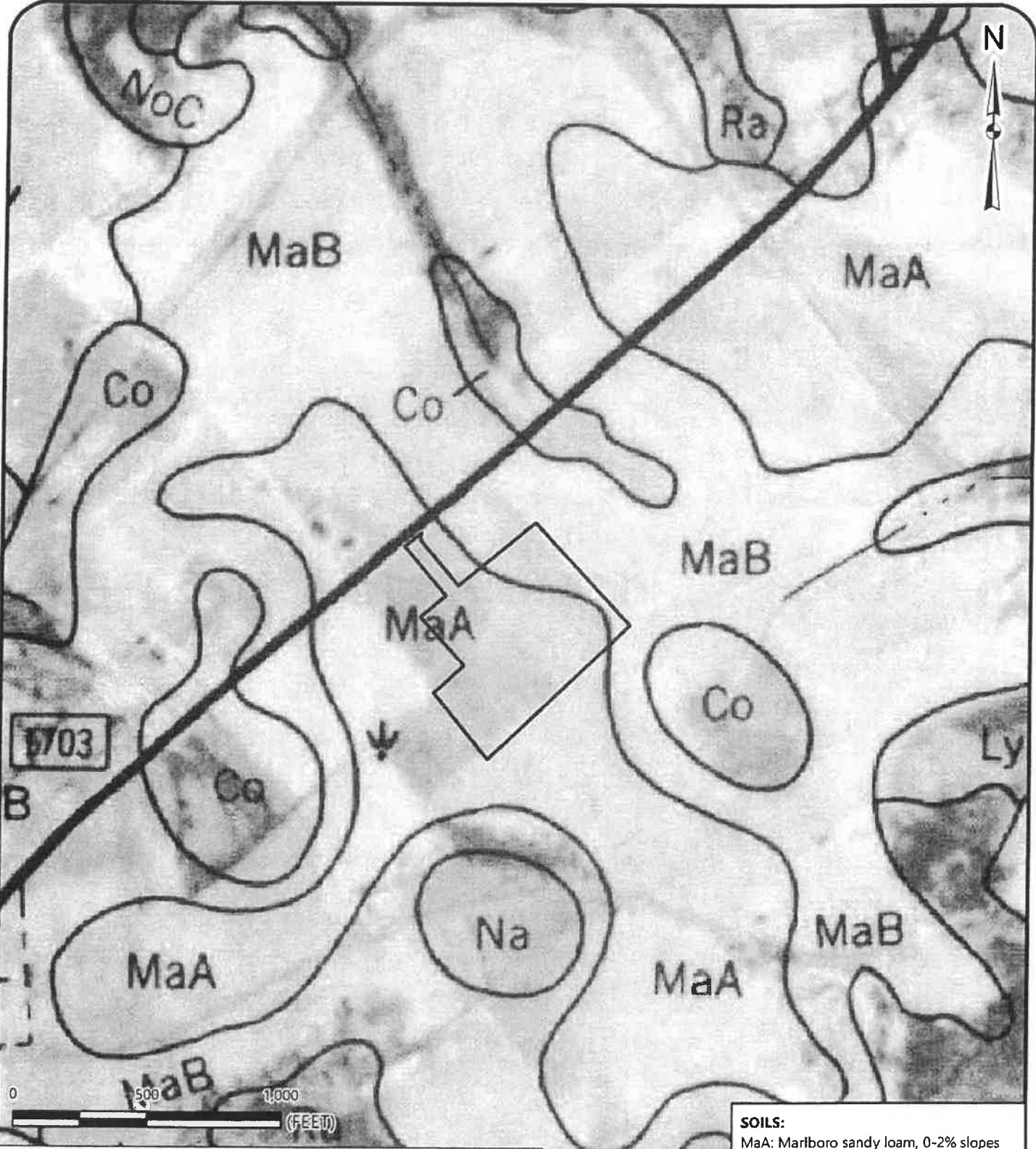
HORIZON	DEPTH	COLOR (MUNSELL)	TEXTURE	STRUCTURE
Ap	0 -6	10 YR 4/2	sandy loam	granular
Bt1	6-20	7.5YR 5/6	sandy clay	weak medium subangular blocky
Bt2	20-30	10 YR 5/8	sandy clay	mod. to weak subangular blocky
Bt3	30-42+	10 YR 5/6 7.5 YR 5/6 mottles	sandy clay	weak, medium subangular blocky

**Notes:**

- 1) Soil similar to the Marlboro Soil Series.
- 2) LTAR 0.3 gpd/ft<sup>2</sup> for conventional septic systems.
- 3) Soil described from auger boring.  
Slopes ranged from 5% to 30%.

## Figures

Drawing Path: R:\CAD Data\Religion\PROJECTS\2024\Red\_Hill\_Church\_Rd\_Subdivision\SOILS.mxd plotted by abentz 02-07-2024

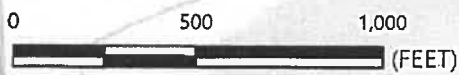
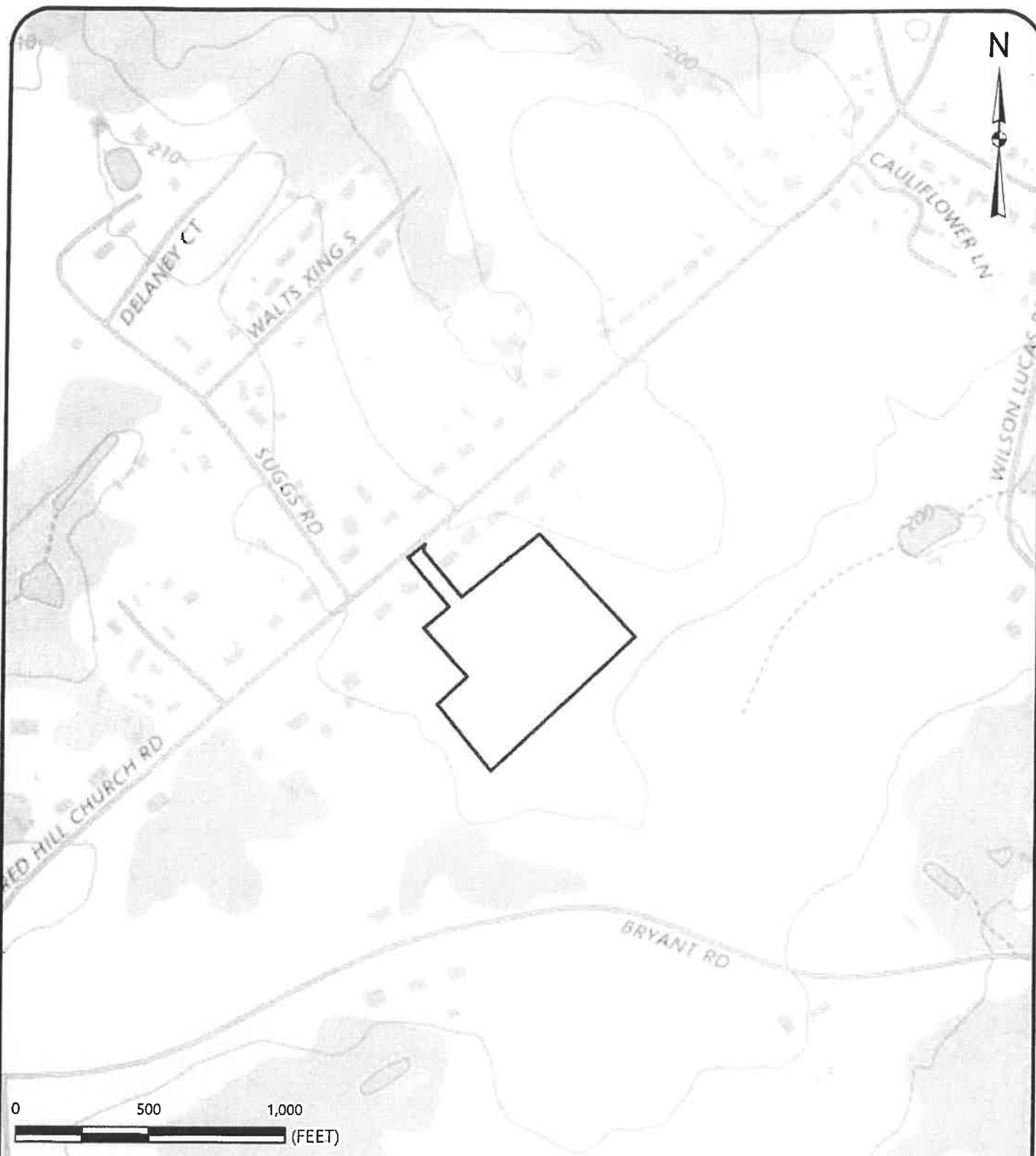


**SOILS:**  
 MaA: Marlboro sandy loam, 0-2% slopes  
 MaB: Marlboro sandy loam, 2-6% slopes

Site Parcel

**REFERENCE:**  
 GIS BASE LAYERS WERE OBTAINED FROM THE 1994 USDA-SCS PUBLISHED SOIL SURVEY OF HARNETT COUNTY, NORTH CAROLINA. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.


	<b>USDA-SCS SOIL SURVEY EXHIBIT</b>	SCALE: 1" = 500'	FIGURE NO.  <b>1</b>
	RED HILL CHURCH ROAD SUBDIVISION RED HILL CHURCH ROAD ERWIN, HARNETT COUNTY, NORTH CAROLINA	DATE: 2-7-24	
		PROJECT NUMBER TBD	



**REFERENCE:**  
 GIS BASE LAYERS WERE OBTAINED FROM THE USGS NATIONAL TOPO MAP VIEWER. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.

 Site Parcel

Drawing Path: R:\CAD\Draws\Raleigh\PROJECTS\2024\Red\_Hill\_Church\_Rd\_Subdivision\USGS.mxd plotted by aberntz 02-07-2024

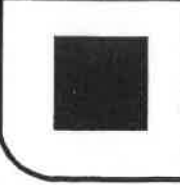
	<b>USGS TOPOGRAPHIC EXHIBIT</b>	SCALE: 1" = 500'	FIGURE NO.  <b>2</b>
	RED HILL CHURCH ROAD SUBDIVISION RED HILL CHURCH ROAD ERWIN, HARNETT COUNTY, NORTH CAROLINA	DATE: 2-7-24	
		PROJECT NUMBER TBD	



Drawing Path: R:\CADData\Projects\2024\Red Hill Church Rd Subdivision\TOPO.mxd plotted by abernz 02-07-2024

**REFERENCE:**  
GIS BASE LAYERS WERE OBTAINED FROM THE 2021 NCONEMAP AERIAL ORTHOIMAGERY LAYER AND THE 2007 NCDOT LIDAR CONTOUR DATASET. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.

— 2 - Foot Contours  
□ Site Parcel



### COLOR AERIAL AND TOPOGRAPHIC EXHIBIT

RED HILL CHURCH ROAD SUBDIVISION  
RED HILL CHURCH ROAD  
ERWIN, HARNETT COUNTY, NORTH CAROLINA

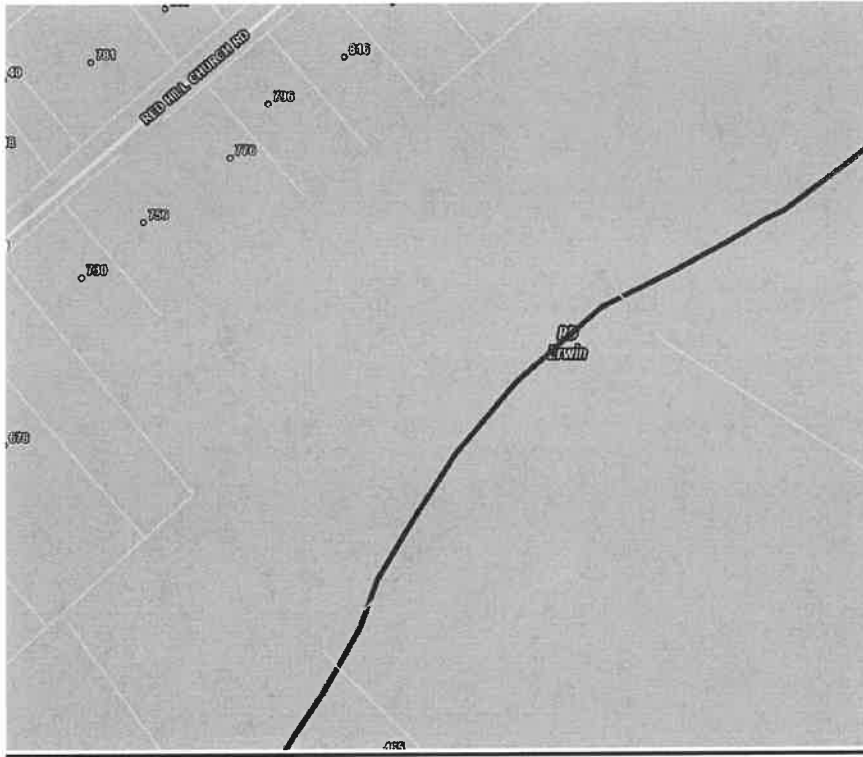
SCALE:  
1" = 200'  
DATE:  
2-7-24  
PROJECT NUMBER  
TBD

FIGURE NO.  
**3**

applicant must have received approval from NCDEQ in regards to the Watershed affecting the property. Along with approval from NCDEQ in regards to storm water due to more than 1 acre being disturbed. The applicant must also have an approved permit from NCDOT stating that the roads are being constructed to NCDOT standards. A permit is also required from Harnett Regional Water stating that the waterlines to be extended to the property is constructed to HRW Standards. HRW has stated that in order to have the density/style of home that the applicant would like improvements will have to be made to HRW lines in regards to pressure for fire hydrants to obtain clearance from Harnett County Fire Marshall. The current gallons per minute for the nearest hydrant is 404.7 gpm and Harnett County Fire Marshall requires at least 500 gpm. Harnett Regional has stated that these improvements to increase water pressure have already been approved for later this year to increase the gpm to the required 500 gpm. If the improvements to the water lines are not made and the gpm is not met, then the development will require a specific upgrade to the water lines for the homes to be created within the subdivision increasing the gpm to the required 500 gpm to receive approval from the Harnett County Fire Marshall.

## Images









# Harnett GIS

NOT FOR LEGAL USE

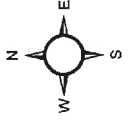


- Flood Map Index
- County Boundary
- Address Numbers
- Road Centerlines
- Parcels
- Watershed HUC8



GIS/E-911 Addressing

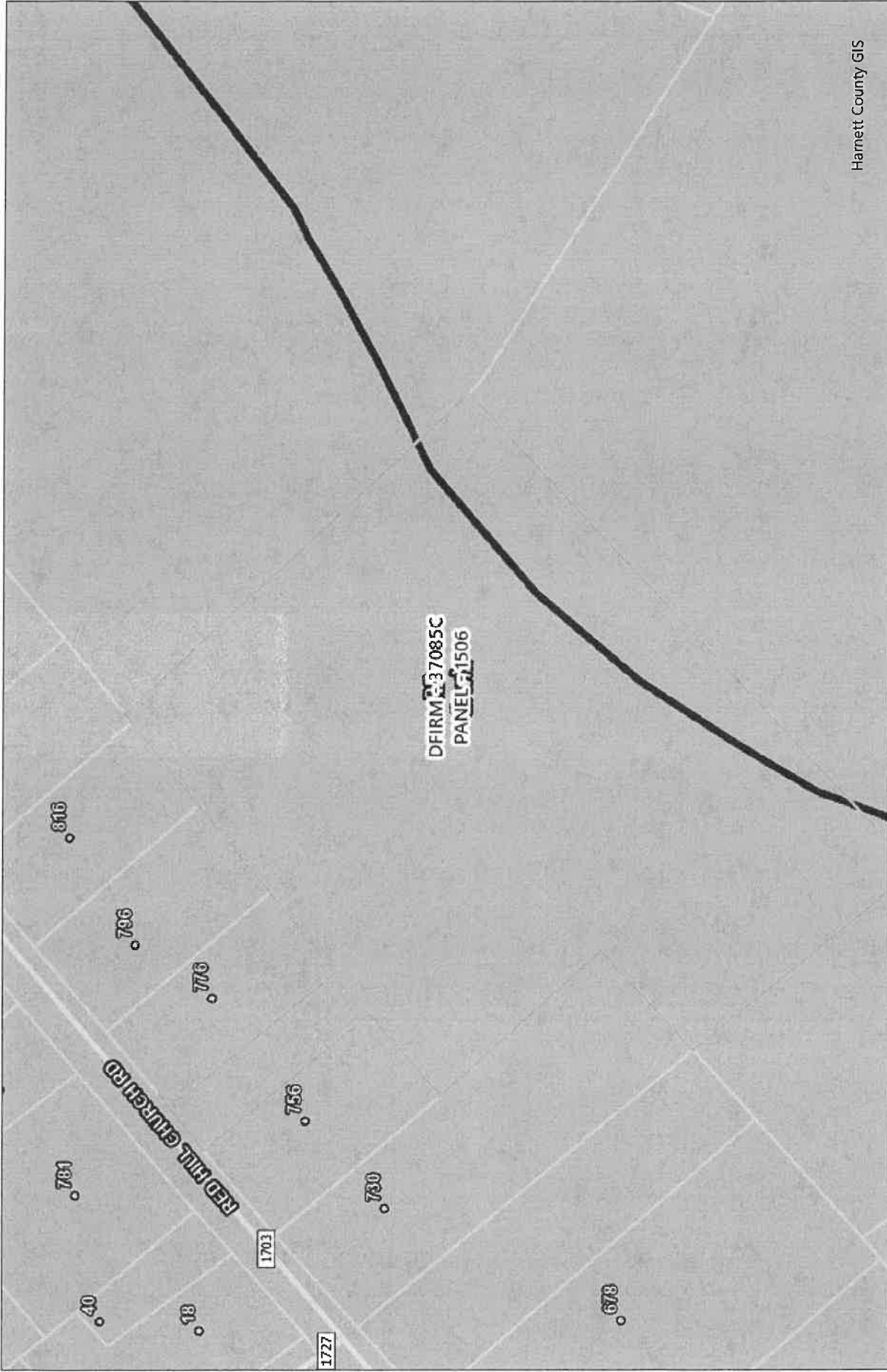
March 7, 2024



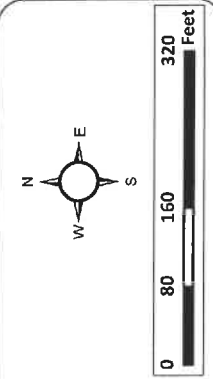
Harnett County GIS

# Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS



### Zoning Districts

- Parcels
- Watershed HUC12
- Watershed HUC8
- RD
- ETD

- Flood Map Index
- County Boundary
- Address Numbers
- Road Centerlines

**Harnett**  
COUNTY  
NORTH CAROLINA

GIS/E-911 Addressing  
March 7, 2024

## MINUTES CONTINUED FROM MARCH 25, 2024

Town Planner Dylan Eure stated that he would ensure that the letter is in hand before final approval.

Commissioner Marbell asked how many acres the property is.

Town Planner Dylan Eure answered that the size of the proposed development is 8.13 acres.

**The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in April.**

### **Accessory Dwelling Unit Text Amendment**

Town Planner Dylan Eure presented this proposed text amendment based on a complaint that he and Town Code Enforcement Officer, Chris Jones, had received regarding an individual living in an accessory dwelling at 1600 Denim Drive. The proposed amendment would give the property owner some options for compliance.

Commissioner Byrd asked if this would be 1/3 acre lots.

Town Planner Dylan Eure confirmed that yes, they would be 1/3 acre lots.

There was discussion about specific lot sizes and building sizes among the Board while viewing examples of properties on GIS.

Mayor Baker said he would like to see double the ordinance requirements if we allow this amendment. He wants to ensure that the Board sees the entire picture of the implications of this Amendment, and pointed out that yes, we do call for it within the Land Use Plan.

Town Planner Dylan Eure pointed out that North Carolina House Bill 409, which is currently in the House, is very restrictive on how municipalities can regulate Accessory Dwelling Units. Setbacks would really be the only way to enforce restrictions if that bill passes.

Multiple Commissioners expressed concern for the potential issues this could cause for the Town. Some of the specific concerns were that with small lots, the Town would be overrun with this type of housing stock. There are lots that would be able to be split, then add 4 of these types of dwellings.

Mayor Baker pointed out that the Land Use Plan specifies certain districts and by design criteria and setbacks, specifically the Mill Village. He then asked if the Planning Board had any other comments or concerns regarding this Amendment.

Town Planner Dylan Eure stated that they had some discussion, the applicant, Rickey Davis, had come and spoke on behalf of the amendment, and the Planning Board recommended the approval with no further changes.

Mayor Baker asked if they had any discussion similar to the discussion this evening among the Commissioners.

Town Planner Dylan Eure stated that they did not, it was mostly Mr. Davis speaking, and limited discussion.

## **MINUTES CONTINUED FROM MARCH 25, 2024**

Commissioner Byrd asked if the Planning Board was for this plan and what the views they had were.

Town Planner Dylan Eure confirmed that they were, yes. There was a lot of back and forth between the applicant and the Planning Board, especially the reasoning for the request. This includes the applicant being told by the bank that holds his mortgage telling the applicant that he was able to have the ADU.

**This item will be on the agenda under Public Hearing for the Regularly Scheduled Board Meeting in April to allow for public comment. Additional guidelines will be added and the topic will be visited at the April Workshop.**

### **ZT-2024-003 Highway 421 Overlay**

Town Planner Dylan Eure presented this proposed Overlay to the Board. This Overlay District would be an additional zoning layer that would require additional regulations for all non-residential and non-religious institutions that may develop or expand in the future. This is in line with the 2023 Erwin Land Use Plan, under LUH 7, to set the standard for positive growth within the Town.

Mayor Baker said that he has stated the need for this for several years. He believes the 600ft could be decreased slightly, especially for those parcels that aren't abutting the direct 421 Corridor. This should be a growth planning tool for quality development. Looking forward, protecting the Town of Erwin, this follows the trend. Mayor Baker said that this would be something to have a lot of public input on. We need to ensure that everyone understands that this makes no changes to residential and existing businesses. This would only affect future growth that comes in.

Town Manager Snow Bowden stated that we would advertise for a public hearing and have an Open House to allow residents and business owners an opportunity to ask questions, and that this would be a lengthy process that involves a few months.

**The consensus of the Board was to have Town Staff schedule an Open House for the citizens and affected property owners to be able to see the proposed Overlay District and provide feedback, and revisit for a Public Hearing and decision in a few months.**

### **Penalty Text Amendment**

Town Planner Dylan Eure presented this proposed text amendment to allow for more effective enforcement of the Town Ordinances. The amended diction would allow for a penalty ranging from \$50.00- \$500.00 per day, based on a penalty schedule.

Mayor Baker asked what the time frame would be for compliance from the initial notice of violation.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Accessory Dwelling Unit Text Amendment

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The Town of Erwin has received a text amendment application. The proposed text amendment would allow for accessory dwelling units to be allowed in the Town of Erwin. Currently, accessory dwellings are not allowed. Accessory structures are not allowed to be used for residential purposes per our Code of Ordinances.

Current definition below:

*Use, accessory*, means a subordinate building or use, the use of which is incidental to that of the principal building or use on the same lot. Under no circumstances shall an accessory building be used for residential occupancy (i.e., swimming pools and satellite dishes).

One of the goals in our 2023 Land Use Plan is to allow for a variety of residential land uses. All of the other municipalities in Harnett County allow for accessory dwellings. After a good discussion, the Planning Board recommended that this text amendment be approved. We do have a public hearing scheduled at our April Town Board meeting for this proposed text amendment. I would like to highlight two items that warrant discussion in the proposed text amendment that we received.

2. Only one (1) accessory dwelling is permitted per residency on lots less than 15,000 square feet, two (2) may be permitted per additional 15,000 square feet of property. Under no circumstance shall more than two (2) be placed on a single residential lot.
9. Accessory dwellings may be on the same water and utilities as the principal structure. Harnett Regional Water will not allow this. This language is found in a bill that has not become a state law yet. If the bill does become a law than it would be allowed.

The proposed text amendment is based on language that is found in surrounding municipalities Town Code(s). It is also based on language that is found in two separate bills that are currently being considered in the North Carolina General Assembly. The bills have not become law yet. If the bills become law then we would have to make changes to our Town Code to be in compliance with the new legislation.



# Town of Erwin Zoning Text Amendment Application

Planning & Inspections Department  
PO Box 459, 100 West F St, Erwin, 28339 · 910-897-5140 · Fax 910-897-5

Applicant Name	Rickey Davis / Baez Holding LLC
Applicant Mailing Address	7749 Pogon sr hollow spring NC 27592
Applicant Contact Phone	951-796-8253
Applicant Email	Rickey8733@MSN.com
Zoning Ordinance Section Number	

In the space provided below, or on a separate sheet of paper, please state the nature of the proposed text amendment.

Rickey Davis  
Applicant's Name (Print)

[Signature]  
Applicant's Signature (Sign)

3/11/24  
Date

### Administrative Official's Comments and Additional Requirements:

In the space provided below, or on a separate sheet of paper, provide the language proposed by Staff and authorized by the applicant for consideration of the Planning Board and Board of Commissioners.

I, Rickey Davis, do hereby certify that the language as herein provided and prepared by the Town of Erwin Staff does meet the intent, in all respects, of my proposed Zoning Ordinance Text Amendment; and authorize the same to be presented to the Town of Erwin Planning Board and Board of Commissioners for their consideration of approval.

Rickey Davis  
Applicant's Name (Print)

[Signature]  
Applicant's Signature (Sign)

3/11/24  
Date

\$300

**Ordinance Amendment Fee Must Accompany Application and Be Paid Prior to Scheduling for a consideration by Boards.**

Fee Paid: <u>\$300</u>	Date Paid: <u>11/19/24</u>	Staff Initials: <u>[Signature]</u>
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**3.3:** Encourage subdivisions with larger lots and/or higher amounts of open space to be located in the Suburban Residential areas on the Future Land Use Map.

**LUH 4: Allow for a variety of residential land uses.**

- 4.1:** Encourage a mix of higher-density housing types to locate in Commercial/Mixed Use areas or near US 421.
- 4.2:** Allow a variety of small-scale attached housing types (accessory dwellings, duplexes, quads, townhomes) on well-located sites in the mill village.
  - ◆ Consider allowing townhomes in more areas (Currently allowed only as a Special Use in R-10, R-6, RMV, and DMV districts).
  - ◆ Consider allowing duplexes, triplexes or quadplexes in more areas (currently allowed as a Special Use in R-6 only).
  - ◆ Consider allowing accessory dwelling units that meet design criteria (minimum setbacks, etc.).
- 4.3:** Allow a certain percentage of attached homes as part of new planned developments (i.e. 30% max).
  - ◆ Encourage alley-loaded attached units with front porches and on-street parking to improve pedestrian safety.
  - ◆ Consider reduced setbacks and lot width requirements for rear loaded housing types.



**LUH 5: Protect rural views on the edges of town.**

**5.1:** Discourage large stretches of “Fanny First” development (visible backs of homes) along major roads by encouraging tree preservation, planting buffers and location of open space along blocks.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Proposed Highway 421 Overlay District, ZT-2024-003

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One of the goals in our 2023 Land Use Plan was to “consider the development of a US 421 Commercial Overlay District”. Our Town Planner Dylan Eure has put together a proposed HWY 421 Overlay District that will meet that goal. The purpose of this overlay district is to enhance any future development(s) off of HWY 421. The proposed district does place extra standards on any future commercial development(s). But the extra standards are not an unfair burden. As the Town continues to grow, we will continue to see growth off of Highway 421. This proposed overlay district will be a step in the right direction. The proposed overlay district includes the extra standards highlighted in the 2023 Land Use Plan. The proposed overlay district was created based on information found in existing overlay districts in surrounding municipalities.

The Planning Board recommended this overlay district for approval. Before we can take any action on moving forward with this proposed overlay district we have to hold a public hearing. We have to notify all impacted property owners. Town Staff is happy to make any changes that any of you see fit. If the consensus of the board is to move forward with this overlay district we will need to set a public hearing for our May Town Board meeting.



# TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339  
Phone: 910-897-5140 • Fax: 910-897-5543  
www.erwin-nc.org

03/25/2024

**ZT-2024-003**

## **Erwin Highway Overlay District Memorandum**

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

### **Zoning Description**

The Town of Erwin wishes to create an additional zoning layer that reaches 600 ft in either direction from the center line along of U.S. 421 / E Jackson Blvd. The purpose of a Zoning Overlay District is to require additional development regulations for all non-residential and non-religious intuitions that may develop or expand in the future. Said additional regulations include dimensional standards, building materials, landscaping, parking, and sidewalk / street scape standards. Standards are designed to prevent areas of blight, reduce traffic coming on and off of U.S.421, minimize safety hazards, and promote overall community appeal and connectivity. This would not change the current zoning of the properties, but rather add an additional zoning layer for those who are above classified. Per the 2023 Erwin Land use Plan LUH 7 states that Erwin is to establish a 421overlay to set standards for the major corridor in order to guide positive growth for the Town.

### **Trade Offs**

The current language of the Overlay requires any affected groups or individuals to adhere to all of the proposed regulations. This would not only require regulations to take place along U.S. 421/E Jackson Blvd, but also parcels that are within the 600 ft of the center line of 421/E Jackson Blvd that front other streets. Such as NC 55, N13th, Masonic Rd, St. Matthews Rd, Professional Pkwy, and Shriji Ln. However, if deemed inappropriate the diction can be altered to only apply to 421. Due to the increased regulation this may cause local businesses to avoid development along US 421. By forcing adherence this will increase the amount of money that it will take to develop land along US 421 making it harder to start a businesses within the location of the affecting overlay.

### **Methodology**

In order to create the Erwin Highway Overlay District a variety of municipalities were benchmarked and evaluated to establish a Highway Overlay District that would best fit the Town of Erwin. Municipal agencies that were used during the process of building the Erwin Highway Overlay District are Lillington, Coats, Dunn, Wake Forest, Knightdale and Kenly along with the previously discussed Med-Ed Corridor Overlay that was offered by the Mid-Carolina COG.

## **Legality**

North Carolina General Statute §160D-703 (4) empowers local governments to divide its jurisdiction into zoning districts including overlay districts in which different requirements are imposed on certain properties within one or more underlying conventional, conditional, or formed-based districts. Per NC General Statutes the Erwin Highway Overlay District is permissible by the State of North Carolina.

## E.H.O.D. – Erwin Highway Overlay District

### A. Purpose

It is the intent of the Highway Overlay to protect natural resources, provide landscaping improvements, ensure connectivity, ensure adequate walking spaces, and enhance the overall appearance of the corridors identified. Development standards from the Erwin Highway Overlay District apply to all parcels within 600 feet of the Right-of-way on both sides of the corridor. In cases where a portion of a tract of land lies within the overlay district, the entire tract shall fall into the same regulation as the overlay.

The Erwin Highway Overlay District is established to:

1. Prevent unsightly conditions that may destroy or detract the natural character, beauty, or condition of the area.
2. Reduce the amount of traffic coming on and off of the corridors.
3. Minimize potential safety hazards that may exist along the corridors.

### B. Area of Applicability

The major highway corridor of which is affected by Erwin's Highway Overlay District is U.S. 421/E Jackson Blvd within only the corporate limits of the Town. Said overlay would impact all non-single family buildings and non-religious institutions including but not limited to businesses and multi-family dwellings.

### C. Specific Development Standards

1. Dimensional Standards
  - a. At no time shall any development not face the nearest Right-of-way. All non-single family developments are required to front the nearest accessible Right-of-way, and be accessed internally. In the event of a parcel abutting two Right-of-ways, the buildings should face the heavier trafficked Right-of-way, and access via the Right-of-way, or by a newly constructed street.
  - b. At no time shall any developments loading area face the public Right-of-way. All loading areas shall be located at the rear or side of the establishment as long as it does not face a public Right-of-way.
  - c. For additional standards see the corresponding zoning jurisdiction in which a parcel is related to for setbacks requirements.
2. Building Materials
  - a. At no time should any buildings be made entirely of materials that are prone to deterioration or weathering causing the building to become a blight throughout ageing.
  - b. Buildings may be accented with other materials but are limited to twenty percent (20%) of the façade.
  - c. To avoid blight, all non-residential facades shall be made of at least eighty percent (80%) one the following materials:
    - i. Brick Masonry
    - ii. Wood
    - iii. Stone

- iv. Architectural Concrete
- v. Vinyl Siding
- d. Facades to be prohibited:
  - i. Metal

### 3. Landscaping Standards

- a. Parking lots, loading areas, and other vehicle use areas shall be planted with one (1) tree and (2) shrubs for every ten (10) parking spaces required.
- b. At least 65 percent (65%) of the required parking lot trees shall be large shade trees.
- c. Trees and shrubs shall be planted within 15 feet of the vehicle use areas.
- d. Developments containing 30 or more parking spaces, at least half or 50 percent (50%) of the trees and shrubs must be planted in islands or medians spaced throughout the parking area.
- e. A consecutive strip of parking places shall include landscape islands every 20 spaces apart and at the end of all parking rows.
- f. Land scape islands shall be grass and mowed, covered with organic materials (ex: pine mulch)
- g. For specific parking guidelines see Article XVIII entitled Parking and Loading within Chapter 36 of the Erwin Code of Ordinances.

### 4. Parking Lot Standards

- a. Developers of non-residential properties shall be required to have shared driveways and parking areas with adjoining developments. If there is no current adjoining development, the development shall make modifications for a future connection to be made by the adjoining developer.
- b. All areas designated for trash or refuse shall be screened from the public eye with a minimum height of 1 foot above the highest point of the trash receptacle. Materials for the screen shall be natural or made of masonry materials. (ex: wood, stone, or brick)
- c. For specific parking guidelines see Article XV entitled General Provisions Chapter 36 of the Erwin Code of Ordinances (Sec. 36-436. & Sec. 36-441.)

### 5. Sidewalk / Street Scape Standards

- a. Any non-single family development shall be required to install ADA compliant sidewalk along their portion of the Right-of-way upon development. If the property that is being developed does not abut a Right-of-way, then no sidewalk installation is required.
- b. Sidewalks shall be separated from the nearest Right-of-way by a minimum of a 5 ft. grass landscaping buffer compromised of street trees placed at 15 – 20 ft. increments.
- c. Areas located between sidewalks and parking areas shall be compromised of a minimum 4 ft. vegetation buffer containing grass.

### 6. Signage Standards

- a. All standalone signs shall be made of primarily masonry materials surrounded by a natural base of shrubs and other small plants.

- b. For specific signage guidelines please see Article XIX entitled Sign Regulations within Chapter 36 of the Erwin Code of Ordnances.

## Land Use and Housing (Continued)

### **LUH 6: Encourage appropriately scaled commercial uses along US 421 and at major intersections.**

- 6.1:** Larger scale commercial development should be located in Commercial/Mixed Use areas along US 421 and/or in Employment and Industry areas on the Future Land Use Map.
- 6.2:** Smaller to medium scale (typically less than 30,000 square foot building area) should be allowed along other roads, i.e. Denim Drive, 13th Street
- 6.3:** Neighborhood scale commercial should be located at key intersections (i.e. north of town).
  - ◆ Neighborhood scale commercial should be less than 5k square feet per floor with a 35ft maximum height.
  - ◆ Ordinance updates may be needed to specify these requirements. The B-1 zoning district could be updated to add performance criteria (size of building, buffers, screening, etc.).



### **LUH 7: Consider the development of a US 421 Commercial Overlay District.**

- 7.1:** Establish specific development standards applicable along US Highway 421 in Erwin's jurisdiction.
  - ◆ The purpose of these requirements would be to provide enhanced building design and site development standards for this key commercial corridor. Requirements could include:
    - ◆ Building material standards limiting metal buildings
    - ◆ Landscaping requirements (i.e. for foundation plantings and/or parking lot plantings)
    - ◆ Limits to location or size of outdoor storage areas
    - ◆ Parking location or design
    - ◆ Access control measures or connectivity requirements
    - ◆ Standards for multi-family developments



## **MINUTES CONTINUED FROM MARCH 25, 2024**

Town Planner Dylan Eure responded that this is typically handled by the Code Enforcement Officer Chris Jones, and that he usually tries to have a conversation in good faith with the property owner to remedy the situation before having to issue an official notification.

Mayor Baker stated that this is somewhat objective because there isn't a laid out timeframe. Harnett County specifies a timeframe for each type of violation. We should add specified and spelled out timeframes in the ordinance so that we can issue the warning for compliance before the civil citation. Our Code Enforcement Officer needs the assistance of specific guidelines and allowable times.

Commissioner Byrd agrees that we need specific timeframes for enforcement.

**The consensus of the Board was to add specific timetables to this Amendment and bring it back to the April Workshop.**

### **Text Amendments to Chapter 36 Definitions**

Town Planner Dylan Eure presented these seven amendments for amusement-type establishments and where they are permitted or require a special use permit. These types of land uses are not already defined in our ordinances. These are: arcade, axe throwing, bowling alley, escape room, laser tag, pool halls, and rage rooms. The verbiage in regards to pool halls was amended further by the Planning Board before coming before The Board.

Mayor Baker stated that he understands that a lot of these uses were proposed at the old Mill site, including a potential pool hall.

Town Manager Snow Bowden explained that Pool Halls, while in our ordinances, are not defined.

After discussion among the Board, the recommendation was made to change Pool Hall from Special Use in B-2, to Permitted within B-2 and M-1 Industrial.

**The consensus of the Board was to make the updates to the Pool Hall amendment and bring this back to the April Workshop.**

## **GOVERNING COMMENTS**

Commissioner Marbell stated he was sorry that he was unable to attend the Budget Workshop due to illness.

Commissioner Byrd spoke about a sign ordinance. He would like to see the signs cleaned up around town, as they're distracting and an eyesore.

Commissioner Nelson stated that he appreciates the Town Staff and everything they do.

Commissioner Turnage stated that with spring being here, there are many golf carts out and about. He has seen many of them without permit stickers. The police department needs to enforce the insurance and permit requirements. He states that he is concerned that if someone

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Penalty Text Amendment

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Erwin Town Staff wishes to amend Chapter 36 of our Town Code involving the fines that the Town can charge for code violations. The proposed changes also clear up some language involving the threshold for the level of fine(s) we can charge for code violations. The Planning Board recommended that these changes be approved.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: Honorable Mayor and Board of Commissioners  
From: Dylan Eure, Town Planner  
Date: March 25, 2024  
Subject: Penalty Amendment

---

The Town of Erwin Staff wishes to amend Chapter 36 of the Erwin Code of Ordinances within Article XX (10) Administration and Enforcement, Section 36-584 Penalty. Said amendment would allow staff to enforce code and zoning regulations throughout the Town of Erwin. The way the current penalties are written limits the Town from issuing higher fines which will result in faster compliance with our ordinances. This effort is to begin the process of cleaning areas of towns and ensuring zoning regulations are being properly followed.

### **Legality**

NC General Statutes 14-4 (Violation of local ordinances misdemeanor) states that (a) Except as provided in subsection (b) or (c) of this section, if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00). No fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).(b) If any person shall violate an ordinance of a county, city, or town regulating the operation or parking of vehicles, he shall be responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars (\$50.00).

(c) A person may not be found responsible or guilty of a local ordinance violation punishable pursuant to subsection (a) of this section if, when tried for that violation, the person produces proof of compliance with the local ordinance through any of the following:

(1) No new alleged violations of the local ordinance within 30 days from the date of the initial alleged violation.(2) The person provides proof of a good-faith effort to seek assistance to address any underlying factors related to unemployment, homelessness, mental health, or substance abuse that might relate to the person's ability to comply with the local ordinance. (1871-2, c. 195, s. 2; Code, s. 3820; Rev., s. 3702; C.S., s. 4174; 1969, c. 36, s. 2; 1985, c. 764, s. 2; 1985 (Reg. Sess., 1986), c. 852, s. 17; 1991, c. 415, s. 1; c. 446, s. 1; 1993, c. 538, s. 8; c. 539, s. 9; 1994, Ex. Sess., c. 24, ss. 14(b), 14(c); 1995, c. 509, s. 133.1; 2021-138, s. 13(c).)

### **Un-amended Diction**

The administrator shall be authorized to use any one or more of the methods described in this section, or action authorized by law, to ensure compliance with or to prevent a violation of the provisions of this article.

(1)*Civil penalties.* Any person, corporation, LLC or other entities, who violate any provision of this article may be subject to assessment of the maximum civil penalty of up to \$500.00 per violation.

*Civil citations.* A civil citation shall be issued by the administrator of the town planning department to any person, corporation, LLC, or other entity, failing to take corrective action according to and within the specific compliance period ordered by the administrator. Each day such violation exists after the expiration of the compliance period shall constitute a separate offense and be charged as a separate violation. Each said violation shall be subject to a civil penalty in the amount of \$100.00 per day until such violation has reached compliance. Failure to pay the penalty within 15 days from the receipt of the notice of civil penalty shall subject said person, corporation, LLC, or other entity to a civil action in the nature of debt for the stated penalty plus any additional penalties, together with the cost of the action to be taxed by the court.

### **Amended Diction**

The administrator shall be authorized to use any one or more of the methods described in this section, or action authorized by law, to ensure compliance with or to prevent a violation of the provisions of this article.

(1)*Civil penalties.* Any person, corporation, LLC or other entities, who violate any provision of this article may be subject to assessment of the maximum civil penalty of up to \$500.00 per violation.

*Civil citations.* A civil citation shall be issued by the administrator of the town planning department to any person, corporation, LLC, or other entity, failing to take corrective action according to and within the specific compliance period ordered by the administrator. Each day such violation exists after the expiration of the compliance period shall constitute a separate offense and be charged as a separate violation. Each said violation shall be subject to a civil penalty ranging in the amount of \$50.00 - \$500.00 per day until such violation has reached compliance or the sum of penalties has reached the amount that it requires to fix said violations. Failure to pay the penalty within 15 days from the receipt of the notice of civil penalty shall subject said person, corporation, LLC, or other entity to a civil action in the nature of debt for the stated penalty plus any additional penalties, together with the cost of the action to be taxed by the court.

### **Penalty Schedule:**

<b>Citation</b>	<b>Penalty</b>
Warning Citation	N/A
Official Citation	\$50
Second Citation	\$100
Third Citation	\$250
Fourth & Subsequent Citations	\$500

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: March 25, 2024

Subject: Text Amendments to Chapter 36 Definitions

---

Town Staff has prepared a number of text amendments to our Chapter 36 in our Town Code. These proposed amendments include definitions of land uses that are not already defined in our Town Code. They also include potential zoning districts that they should be allowed. Before we schedule a public hearing for these proposed text amendments we wanted to share them with you for your consideration and discussion.

We already have a few of these types of businesses in Town but they are not defined in our Town Code. Town Staff wishes to go ahead and define these land uses.

Proposed definitions:

1. Arcades- An establishment that is tailored to entertainment through forms of arcade games such as but not limited to pinball, air hockey, skee-ball, or any other electro-mechanical games, but does not include a casino or any other form of gambling. May contain areas for refreshments and food, however, not required. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
2. Ax Throwing- A facility in which contains at least 3 (three) 12 ft. lanes with each being separated by a minimum 9 ft. tall fencing that is a minimum of 15 ft. long for the purpose of throwing axes/knives at a designated target for sport and recreation and may contain areas for refreshments food. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
3. Bowling Alley- A long narrow track of at least 5 lanes which balls are rolled down for the purpose of knocking down pins for competition or enjoyment and that may contain areas for refreshments and food. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
4. Escape Room- A business in which creates rooms where individuals are voluntarily locked in a confined area requiring them to solve a series of puzzles before a certain amount of time expires.

5. Laser Tag- An indoor recreational shooting sport where individuals use infrared-emitting light guns to tag designated targets and may contain areas for refreshments food. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
6. Pool Halls- An establishment that contains at least 2 or more pool/billiards tables with a pool table, cues, balls, racks, and that may contain areas for refreshments and food. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
7. Rage Room-A business in which rents out rooms located within their building for the purpose of stress relief and venting anger in which items are destroyed and disposed of in a safe and cautionary manner and that may contain areas for refreshments and food. In order to sell alcoholic beverages the owner of the establishment must obtain a valid beer and liquor license from the North Carolina Alcoholic Beverage Control Commission (ABC).
- 8.

**Proposed Land Uses**

<b>Land Use</b>	<b>B-2 Highway Business</b>	<b>M-1 Industrial</b>	<b>CB Central Business</b>
Arcades		Permitted	Permitted
Axe Throwing	Permitted	Permitted	Permitted
Bowling Alley	Permitted	Special-Use	
Escape Room	Permitted	Permitted	Permitted
Laser Tag	Permitted	Permitted	
Pool Hall	Special Use		
Rage Room	Permitted	Permitted	Permitted

The Planning Board recommended all of the proposed definitions. They did recommend that pool halls be allowed as a permitted use in our B-2 (Highway Business) and M-1 (Industrial District).

**MINUTES CONTINUED FROM MARCH 25, 2024**

isn't permitted and insured, and gets in an accident, they could hold the Town liable for not enforcing the ordinance.

Mayor Baker thanked Town Staff for all of their hard work and thanked the Town Board Members for taking time out of their busy schedules to be at the Workshop.

**ADJOURNMENT**

Commissioner Nelson made a motion to adjourn at 7:53 P.M. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY  
KATELAN BLOUNT DEPUTY CLERK**



**Randy Baker**

**Mayor**

**ATTEST:**



**Katelan Blount**

**Deputy Clerk**