

**THE ERWIN BOARD OF COMMISSIONERS
AUGUST 2026 REGULAR MEETING
THURSDAY, AUGUST 6, 2026 @ 7:00 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. CONSENT

All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen requests discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

- A. Regular Workshop Minutes on June 22, 2026 **(Page 2)**
- B. Special Called Meeting Minutes on June 29, 2026 **(Page 7)**
- C. Special Called Meeting Minutes on June 30, 2026 **(Page 10)**
- D. Regular Meeting Minutes on July 2, 2026 **(Page 11)**
- E. Special Called Meeting Minutes on July 21, 2026 **(Page 13)**
- F. Regular Workshop Minutes on July 27, 2026 **(Page 14)**
- G. Harnett County SRO MOU 2026-2027 **(Page 15)**
- H. Planning Board Application- William Morris **(Page 22)**

4. SPECIAL PRESENTATIONS (Page 24)

5. PUBLIC HEARING

- A. Family Care Homes Text Amendment **(Page 25)**

6. PUBLIC COMMENT

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 30 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers.

§160A-81.1

7. CLOSED SESSION

- A. Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel

8. MANAGER'S REPORT

9. ATTORNEY'S REPORT

10. ADJOURNMENT

****IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT (910) 591-4202 AT LEAST 48 HOURS PRIOR TO THE MEETING.****

ERWIN BOARD OF COMMISSIONERS

REGULAR WORKSHOP MINUTES

JUNE 22, 2026

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, June 22, 2026, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners David Nelson, Timothy Marbell, Charles Byrd, and William Turnage.

Board Member absent was Commissioner Alvester McKoy.

Town Manager Snow Bowden, Town Clerk Lauren Evans, and Police Chief Jonathan Johnson were also present.

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

Commissioner Nelson gave the Invocation.

Commissioner Byrd led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager requested to add BOA 2026-09 as Item H under New Business.

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

NEW BUSINESS

Harnett County Computer Support Agreement 2026-2027

Town Manager Snow Bowden stated this was a standard agreement we had with Harnett County to provide our IT services. There were no changes to this agreement from the prior year. Harnett County provides all of our IT needs, and we were fortunate to have this service.

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

Golf Cart Use at Live Music Events Policy

Town Manager Snow Bowden informed the Board that Town Staff prepared a draft policy for Golf Cart use at our Town Events at Al Woodall Park. We were open to feedback, but it was something we needed to address as our events get larger.

MINUTES CONTINUED FROM JUNE 22, 2026

Commissioner Byrd stated he saw no issues at the last event. He felt the way golf carts were handled was perfect.

Commissioner Blackmon stated that we needed to address food vendors vs. retail vendors and have more clarity in the policy. The policy mentioned golf carts not exceeding 20 mph; he felt that could be changed to below 30 mph because some golf carts can go faster than that. He asked Police Chief Jonathan Johnson what he thought about the speed restriction.

Jonathan Johnson stated we could do some research on it and even look at battery vs. gas.

Commissioner Blackmon inquired about baseball season. He wanted to narrow it down to prevent bad interpretation.

Mayor Baker stated he wanted to stop the confusion between the Board and Staff. He stated that Town Clerk Lauren Evans, Police Chief Jonathan Johnson, and the Safety Committee made decisions and then Board Members come and change it. The Event Safety Committee was working at the direction of the Board. Any guidelines need to be a Board decision to eliminate confusion and have clear communication for Town Staff. He stated he felt there was a place for golf carts at our events; they just could not run wild, and, when safety allowed, there should be a funnel area for them to go. No one knew more about safety than Police Chief Jonathan Johnson and Fire Chief Ricky Blackmon, who were both on the safety committee for Town events.

Commissioner Blackmon stated that before any decisions were made, we needed to have a policy in place that was tailored to Erwin.

Commissioner Nelson stated that allowing golf carts risked the chance of someone getting hurt. He felt leaving the white fence open for golf cart parking allowed people to drive up and see everything without letting them into the event.

Commissioner Blackmon stated that you cannot get rid of liability no matter what we decide. We just needed a plan to park them and get them in and out safely, but having a policy was a good start; we needed to leave out the crowd size.

Discussion continued among the Board.

Mayor Baker recommended placing the responsibility for developing the plan for the upcoming July 4th event in the hands of the Safety Committee and having the committee present its plan to the Board.

Commissioner Byrd inquired about UTVs/ATVs.

Police Chief Jonathan Johnson stated that UTVs/ATVs are considered motor vehicles and would need to be parked in a regular parking spot.

Mayor Baker stated we have fallen short of Handicap parking. We needed to section off a portion of the parking lot for handicap parking or have a Town-owned golf cart ready to pick them up and take them where they need to go.

The consensus of the Board was for the Safety Committee to develop a plan and report back to the Board on its decision. For future events, a Policy needed to be brought back to the Board to put in place that refers back to the Safety Committee.

MINUTES CONTINUED FROM JUNE 22, 2026

Engineer on Call Service Agreement- WithersRavenel

Town Manager Snow Bowden stated this was our first year of the Engineer on Call Service Agreement. Last year, we approved a one-year contract with WithersRavenel with the option to extend it for one more additional year. We have not needed to utilize the services that much, but WithersRavenel has done everything we have asked them to do and has done a good job so far. This agreement helps us complete projects faster.

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

Accessory Structures Text Amendment

Town Manager Snow Bowden stated this was a text amendment that former Town Planner Dylan Eure was working on before he left. The Planning Board did recommend this text amendment for approval. It addresses language regarding accessory structures. The biggest change was that it removed the one accessory structure on lots that were not able to see a certain percentage of the backyard.

Mayor Baker asked about equipment storage. Could someone come in and store commercial equipment?

Commissioner Blackmon stated the amendment clarified personal goods/items. He stated we could include the wording “no commercial equipment,” but he felt personal goods/items covered it.

Town Manager Snow Bowden stated he could reword it.

Commissioner Byrd expressed his concern for the clarity of free-standing carports/shelters.

The consensus of the Board was to instruct Town Manager Snow Bowden to redefine free-standing carports/shelters and bring the results back to the Board at our Regularly Scheduled Board Workshop in July.

Allowing Recombinations, Permitting Lots Meet Substandard Lot Ordinance

Town Manager Snow Bowden stated this was a proposed text amendment that would allow lot recombination for lots that did not meet the sufficient standards for that jurisdiction as long as it was within 20 percent of that zoning district. Erwin has a lot of smaller lots where the plats are outdated, and sometimes people have lots that they cannot recombine because the new lot would not meet the standard for that jurisdiction.

Mayor Baker stated this issue was all over Town and he had a lot of question marks.

Discussion continued among the Board.

Town Manager Snow Bowden stated this amendment was proposed to speed up the process for applicants, but we could just have applicants apply for a hardship variance when needed.

The consensus of the Board was to not move forward with this text amendment.

MINUTES CONTINUED FROM JUNE 22, 2026

Family Care Home Text Amendment

Town Manager Snow Bowden stated this proposed text amendment would bring the Town of Erwin's Code of Ordinances in line with North Carolina General Statutes and also added Family Care Homes as a permitted use in the R-15 zoning district. This amendment was recommended for approval by the Planning Board.

The consensus of the Board was to place this item on the agenda at the Regularly Scheduled Board Meeting in August for a Public Hearing.

FY 2026-2027 Budget Public Hearing

Town Manager Snow Bowden reminded the Board that our Public Hearing for FY 2026-2027 Budget was scheduled for Monday, July 29th, at 6 PM. The budget was sent out and was based on Senate Bill 889, which became law the prior week. Senate Bill 474 was still in the Senate and planned to be voted on the next day. He did not know if Senate Bill 474 would pass before our Public Hearing, but he would keep the Board posted. If Senate Bill 474 is approved, it would exempt Harnett County from Senate Bill 889. He stated we may need to have a meeting on Tuesday as well if we think Senate Bill 474 will pass.

The Board instructed Town Clerk Lauren Evans to go ahead and advertise a Special Called Meeting for Tuesday, June 30th, as well.

BOA 2026-09

Town Manager Snow Bowden asked the Board to approve this Budget Amendment tonight. He stated it helped us not have any Budget violations regarding Fire Department Taxes.

Commissioner Byrd made a motion to approve BOA 2026-09 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

GOVERNING COMMENTS

Commissioner Turnage asked everyone for their thoughts and prayers. He has hernia surgery scheduled the following week.

Commissioner Nelson stated that Town Staff was great and the Police Department was great.

Mayor Baker asked everyone for their thoughts and prayers. He has a battle to face, and prayers were appreciated.

MINUTES CONTINUED FROM JUNE 22, 2026

ADJOURNMENT

Commissioner Nelson made a motion to adjourn at 7:03 P.M. and was seconded by Commissioner Byrd.
The Board voted unanimously.

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk

ERWIN BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING MINUTES

JUNE 29, 2026

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Randy Baker presiding, held its Special Called Meeting in the Erwin Municipal Building Board Room on Monday, June 29, 2026, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners David Nelson, Timothy Marbell, Charles Byrd, Alvester McKoy, and William Turnage.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Finance Director Linda Williams, and Police Chief Jonathan Johnson were also present.

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

Commissioner McKoy gave the Invocation.

Commissioner Blackmon led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

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

PUBLIC HEARING

Proposed Fiscal Year 2026-2027 Budget

Commissioner Blackmon made a motion to open the public hearing and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Town Manager Snow Bowden stated there was an updated Budget Message at the Board Members' seats. He stated this Budget had a lot of moving parts and was delayed due to State legislation. The proposed budget included total revenues of \$6,697,241 and total expenditures of \$6,697,241, resulting in a balanced budget. The budget also proposed a \$0.05 property tax increase, a contribution to the Erwin Fire Department based on a \$0.12 fire tax rate, and a 3% cost-of-living adjustment (COLA) for all full-time employees. Additionally, the budget included a \$15,000 transfer to the Town of Erwin Group Health Reserve Account, a \$34,367 transfer from fund balance to cover one-time expenditures, and a \$320,000 transfer from the Powell Bill Fund to address sidewalk deficiencies identified in the Town's ADA Transition Plan and to resurface Town-maintained streets. The proposed budget also included \$50,000 for the Town of Erwin to host community events, but we planned to fund most of these events with Partnerships. He informed the Board that Health Insurance was \$701/month per employee, Dental Insurance was \$40/month per employee, and Vision Insurance

MINUTES CONTINUED FROM JUNE 29, 2026

was \$10/month per employee. There was an increase in the retirement rates set by the State of North Carolina. The rate was 17.10% for law enforcement and 15.16% for regular government employees. He reminded the Board that there was no fee from Harnett County for the Erwin Public Library. The proposed budget also included funds of \$5,000 for the Erwin Historical Society, \$28,750 to pay Animal Control, \$20,500 for our annual audit, \$10,000 for the Erwin Area Chamber of Commerce, and \$20,000 to plan for a new Police Department. In the proposed fee schedule, he kept most of our fees the same. He asked for a slight increase in some of the fees we charge, and they were listed below:

- Due to higher-than-expected fuel costs, he asked to increase the fee for a trash cart to \$8.65.
- Site plan review fee for new single-family dwellings to \$100 per lot
- Site plan review fee for new single-family dwellings in a floodplain to \$150 per lot
- Major subdivision preliminary review fee to \$500 + 10.00 per lot
- Major subdivision final review fee to \$500 + actual engineer reviewing fees costs
- Rezoning request to \$500 per application
- Variance request to \$500 per application
- Text amendment request to \$500 per application
- Application to appeal the Zoning Administrator's decision to \$500 per application
- Storm drainage review fees are set at the actual engineer review fees cost.

There was no requested change in personnel. He did cut part-time salaries in Public Works to balance the revenues due to Senate Bill 889. He stated that Senate Bill 474 would be on the Senate floor for a vote the next day. He stated that once we have our Public Hearing and establish a tax rate, there was a process to amend the tax rate, and it must be done before January 1, 2027, if Senate Bill 474 became a law.

Mayor Baker asked the Board if they had any questions for Town Staff.

No questions were asked.

Mayor Baker asked if anyone was present to comment or ask a question regarding the Fiscal Year 2026-2027 Budget.

No one came forward.

Commissioner Blackmon made a motion to close the Public Hearing and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Commissioner Byrd made a motion to table this item until our Special Called Meeting on June 30, 2026, in the Erwin Municipal Building Board Room at 6 PM and was seconded by Commissioner Nelson. **The Board voted unanimously.**

OLD BUSINESS

Erwin's Star-Spangled Summer Site Plan

Police Chief Jonathan Johnson came forward and presented the Board with the site plan prepared by him and Town Clerk Lauren Evans, and it was approved by the Safety Committee.

A copy of the proposed site plan is attached to these minutes.

MINUTES CONTINUED FROM JUNE 29, 2026

ADJOURNMENT

Commissioner Byrd made a motion to recess at 6:24 PM until our Special Called Meeting Scheduled on Tuesday, June 30th, at 6 PM and was seconded by Commissioner Nelson. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk

ERWIN BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING MINUTES
JUNE 30, 2026
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Randy Baker presiding, reconvened its June 29, 2026 Special Called Meeting in the Erwin Municipal Building Board Room on Tuesday, June 30, 2026, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Timothy Marbell, David Nelson, Charles Byrd, and Alvester McKoy.

Board Member absent was Commissioner William Turnage.

Town Manager Snow Bowden, Town Clerk Lauren Evans, and Finance Director Linda Williams.

Mayor Baker reconvened the meeting at 6:00 P.M.

NEW BUSINESS

Proposed Fiscal Year 2026-2027 Budget

Town Manager Snow Bowden stated that the Board tabled the budget discussion the night prior to wait and see what would happen with Senate Bill 474. It passed the second reading, but it was still on the calendar in the Senate and the House. There were no updates on when Senate Bill 474 would be voted on a third time. Harnett County adopted their budget the same day but planned to revisit their tax rate the following Monday. If Senate Bill 474 became law, Harnett County did intend to change their tax rate pursuant to the NCGS 159-15 process, which he also recommended the Erwin Town Board do as well. The Budget must be passed by midnight in order to operate.

Commissioner Byrd made a motion to approve Fiscal Year 2026-2027 Budget per Town Manager Snow Bowden's recommendation and was seconded by Commissioner Nelson. **The Board voted unanimously.**

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 6:02 PM and was seconded by Commissioner Byrd. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK

ATTEST:

Randy Baker, Mayor

Lauren Evans, NCCMC, Town Clerk

ERWIN BOARD OF COMMISSIONERS

REGULAR MINUTES

JULY 2, 2026

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Baker presiding, held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, July 2, 2026, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners David Nelson, Alvester McKoy, Charles Byrd, and Timothy Marbell.

Board Member absent was Commissioner Billy Turnage.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Development Compliance Officer Chris Jones, and Police Chief Jonathan Johnson were present.

Mayor Pro Tem Blackmon called the meeting to order at 7:00 PM.

Commissioner McKoy gave the Invocation.

Town Manager Snow Bowden led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to add a Presentation from the Erwin Historical Society after Consent.

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

CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Special Called Budget Workshop Minutes on May 28, 2026 **(ITEM B)** Regular Meeting Minutes on June 4, 2026 **(ITEM C)** Harnett County Computer Support Agreement 2026-2027 **(ITEM D)** Engineer on Call Service Agreement-WithersRavenel, which Commissioner Byrd seconded. **The Board voted unanimously.**

PRESENTATION FROM ERWIN HISTORICAL SOCIETY

In observance of Independence Day, Si Harrington of the Erwin Historical Society shared the history of the Declaration of Independence and shared an article titled "Suffering for their Revolution."

A copy of the article is attached to these minutes.

MINUTES CONTINUED FROM JULY 2, 2026

PUBLIC COMMENT

Emily Tew of 600 Old Farm Road came forward and stated she met a little boy that she hoped would be sitting on the Town Board one day. She also wanted to inform the Board that she confronted her neighbor the other day regarding her neighbor bringing tree trimmings from his business and placing them on the side of the road to have the Town pick up. She encouraged the Board to watch the video on YouTube made by residents in Riverside regarding the flood problems in Erwin. She lastly commended the Erwin Police Department on a job well done.

MANAGER'S REPORT

Town Manager Snow Bowden provided the Board with a detailed report at their seats. He stated that if they had any questions, they should give him a call.

The Manager's Report is part of these minutes as an attachment.

ATTORNEY'S REPORT

Town Attorney Tim Morris was not present.

ADJOURNMENT

Commissioner Byrd made a motion to adjourn at 7:27 P.M. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk

ERWIN BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING MINUTES
JULY 21, 2026
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Randy Baker presiding, held its Special Called Meeting in the Erwin Municipal Building Board Room on Tuesday, July 21, 2026, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Timothy Marbell, Charles Byrd, and Alvester McKoy.

Board Members absent were Commissioners William Turnage and David Nelson.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Finance Director Linda Williams, and Town Attorney Tim Morris were also present.

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

Commissioner McKoy gave the Invocation.

The Pledge of Allegiance was spoken.

NEW BUSINESS

FY 2026-2027 Budget Ordinance Amendment

Town Manager Snow Bowden presented the Board with a Budget Ordinance Amendment to amend the total tax levy from \$0.67 on each \$100 property valuation to \$.605 on each \$100 property valuation. This includes \$.50 tax rate for general services and a \$.105 tax rate for fire protection services.

Commissioner Blackmon made a motion to approve BOA 2027-01 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

ADJOURNMENT

Commissioner Byrd made a motion to adjourn at 6:03 PM and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK

ATTEST:

Randy Baker, Mayor

Lauren Evans, NCCMC, Town Clerk

ERWIN BOARD OF COMMISSIONERS

REGULAR WORKSHOP MINUTES

JULY 27, 2026

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Pro Tem Ricky Blackmon presiding, was scheduled to hold its Regular Workshop in the Erwin Municipal Building Board Room on Monday, July 27, 2026, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Pro Tem Ricky Blackmon and Commissioners David Nelson and Charles Byrd.

Board Members absent were Mayor Randy Baker and Commissioners Alvester McKoy, Timothy Marbell, and William Turnage.

Town Manager Snow Bowden, Town Clerk Lauren Evans, and Town Attorney Tim Morris were also present.

As a quorum was not present, Mayor Pro Tem Ricky Blackmon announced that no official business could be conducted. The meeting was canceled at 6:25 PM.

MINUTES RECORDED AND TYPED BY

LAUREN EVANS, TOWN CLERK

ATTEST:

Randy Baker

Mayor

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: August 6, 2026

Subject: Harnett County SRO MOU 2026-2027

The Town of Erwin provides a School Resource Officer (SRO) at Erwin Elementary School through an agreement with Harnett County and the Harnett County Board of Education. This Memorandum of Understanding (MOU) must be renewed annually.

The attached MOU covers the period of **July 1, 2026, through June 30, 2027**, and is presented for approval.

As a reminder, the Harnett County Sheriff's Office provides the School Resource Officer at Triton High School under a separate arrangement.

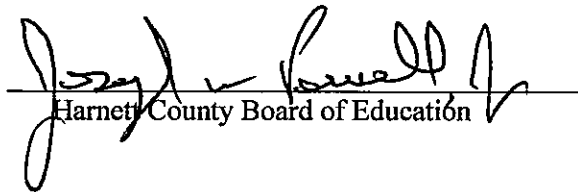
Attachments:

- FY 2026-2027 SRO MOU
- 2023 SRO Program Reimbursement Agreement

Re: Renewal of School Resource Officer Program Memorandum of Understanding

Per Article VII entitled "Amendments and Modifications: Additional Policies and Procedures" of the School Resource Officer Program Memorandum of Understanding dated October 1, 2018 ("MOU"), attached hereto, the Harnett County Board of Education and **Town of Erwin** mutually agree to renew the MOU. The terms are contingent on the negotiations with the Sheriff or Police Chief that allow the school district to address performance issues with individual school resource officers actively. All other terms and conditions will remain the same for a term of 12 months, beginning July 1, 2026, and ending June 30, 2027.

SIGNATURES:


Harnett County Board of Education

Town of Erwin

DATE

DATE

**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 11th 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

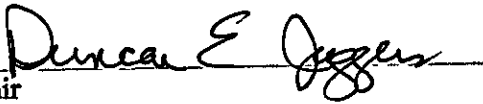
Snow Bowden
Town Manager
100 W F Street
Erwin, NC 28339

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

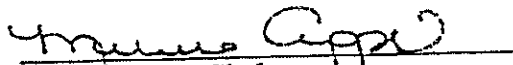
ATTEST:



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

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 6, 2026

Subject: Planning Board Application- William Morris

The Town of Erwin has received an application from Bill Morris for appointment to the Erwin Planning Board. The Town currently has a vacant Out-of-Town Alternate Planning Board position, which Mr. Morris is eligible to fill.

The Town Board is requested to consider appointing Bill Morris to serve as the Out-of-Town Alternate member of the Erwin Planning Board to fill the current vacancy.

Attachments:

- Bill Morris Planning Board member application



APPLICATION FOR APPOINTMENT TO A BOARD FOR THE TOWN OF ERWIN, NORTH CAROLINA



The Town of Erwin appreciates your interest in serving on a Board and requests that you complete the following application. This application requests general information based on your interest in applying for a Board for the Town of Erwin.

Applicant Name: William Harold Morris Date of Application: 4/11/2026

Home Address: 129 Bumpas Creek Access Dunn, NC 28334
Street Address Town Zip Code

Home Phone: _____ Business/Other Phone: 919-237-8657

FAX Number: _____ Email Address: _____

In order to consider this application, the Town of Erwin requests the following information:

Date of Birth 8/5/65 Do you reside within the Town Limits of Erwin: Yes _____ No: ☒
Occupation: Retired Length of residence in Erwin: 15 Years 6 Months

Have you ever pled guilty to or been found guilty of any criminal offense or been convicted of any offense other than a minor traffic violation? Yes _____ No ☒

If yes, please explain _____

Any evidence found to be incorrect on the application may result in disqualification.

Please write a brief statement as to why you are interested in serving on one of these Boards.

To serve the public

Please indicate your preference by the number (first choice being "1")

Planning Board 1 Recreation _____

Please note: If you are applying for the Planning Board you will not be able to serve on another Board.



TOWN OF ERWIN

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

PROCLAMATION RECOGNIZING ANNIE PEARL ELLIOTT FOR CITIZEN OF THE MONTH 2026-2027---001

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 Mayor and Board of Commissioners realize that the Town of Erwin's greatest asset is viewed as the citizens who contribute tirelessly and unselfishly of themselves to aid in the well-being of the residents within the community. These citizens display characteristics and qualities in an individual that strive to make a real difference in the lives of children, adults, and the elderly without desire for recognition, remuneration, or personal gain; and

WHEREAS, Ms. Annie Pearl Elliott of 727 N 16th Street was born in Bunnlevel, NC, to Neil Roger and Lucille Elliot; and

WHEREAS, Ms. Elliott has been blessed with two children, Berlivia Parks and Rhonda Parks Charlot, and 2 grandchildren, Dorien and Jaden Charlot; and

WHEREAS, Ms. Elliott is a lifelong resident of Erwin. She graduated from Erwin High School in 1970 and went on to attend Fayetteville State University, graduating in 2003. She worked in the Erwin Mill for 21 years before retiring from the Harnett County School System. She also faithfully serves as a Trustee at Mount Pisgah Church; and

NOW THEREFORE BE IT RESOLVED that the Town of Erwin Mayor and Board of Commissioners give recognition and appreciation to Ms. Annie Pearl Elliott for her valuable contributions to the quality of life in our community and proudly acknowledge Ms. Annie Pearl Elliott as the August 2026 Citizen of the Month.

Duly Adopted, this the 6th day of August 2026.

ATTEST:

Randy Baker
Mayor

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: August 6, 2026

Subject: Family Care Home Text Amendment

The proposed amendment would update the definition of a "Family Care Home" to align with the requirements of the North Carolina General Statutes. It would also add Family Care Homes as a permitted use within the R-15 Zoning District, as required by state law.

These amendments are intended to bring the Town's ordinance into compliance with the North Carolina General Statutes. Although the current ordinance does not fully reflect these statutory requirements, the Town is legally obligated to administer and enforce state law. Adopting the proposed text amendment will ensure consistency between the Town Code and state regulations, improve clarity for property owners and staff, and support the effective administration and enforcement of the ordinance.

As a reminder, the Planning Board did recommend this proposed text amendment for approval.

Attachments:

- Proposed Text Amendment
- Planning Board Minutes
- Planning Board Statement-of-Consistency
- N.C. General Statue 160D-907
- N.C. General Statue 122C-3(11)b
- Proposed Statement-of-Consistency
- Proposed Text Amendment Ordinance

REQUEST FOR CONSIDERATION

The Town Staff of Erwin wishes to amend Chapter 36, Article 2 of the Code of Ordinances entitled “Definitions” as well as Chapter 36, Article 5, Sec. 36-115 entitled “R-15 Permitted Uses” to provide an updated definition of family-care homes as well as include them as a permitted use within the R-15 zoning district as required by North Carolina General Statutes.

Proposed definition of family-care homes within Chapter 36, Article 2:

Family care home means a facility for not less than two and no more than six children, adolescents, or adults who are mentally, visually or physically handicapped. **This does not include persons with a mental illness who are dangerous to others as defined within NCGS 122C-3(11)b.** Adult care is provided as well as a program of services and protective supervision in a home setting. No family care home shall be allowed to locate within a one-half-mile radius of an existing family care home.

(1) A family care home shall be deemed as a residential use of property for zoning purposes and shall be permissible uses in all residential zoning districts. A family care home does not require a special use permit. If there is another family care home located within a ~~one-and-half~~ **one-half-mile** radius of an existing family care home the town ~~can~~ **shall** prohibit any other family care homes in that area.

Proposed addition to R-15 permitted uses within Chapter 36, Article 5, Sec. 36-115:

- **Family care home**

Statement of Consistency

The proposed text amendment to add the definition of “Family Care Homes” to the Erwin Code of Ordinances, Chapter 36, Article 2, entitled “Definitions”, as well as the amendment to Chapter 36, Article 5, Sec 36-115, entitled “R-15 Permitted Uses” allowing Family Care Homes as a permitted use within R-15 zoning district would bring the Town of Erwin’s Code of Ordinance in line with the requirements of the North Carolina General Statutes.

Therefore, it is recommended that this text amendment **be approved**.

§ 160D-907. Family care homes.

(a) The General Assembly finds it is the public policy of this State to provide persons with disabilities with the opportunity to live in a normal residential environment.

(b) As used in this section, the following definitions apply:

- (1) Family care home. - A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.
- (2) Person with disabilities. - A person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)b.

(c) A family care home is deemed a residential use of property for zoning purposes and is a permissible use in all residential districts. No local government shall require that a family care home, its owner, or operator obtain, because of the use, a special use permit or variance from any such zoning regulation; however, a local government may prohibit a family care home from being located within a one-half mile radius of an existing family care home.

(d) A family care home is deemed a residential use of property for the purposes of determining charges or assessments imposed by local governments or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-88, s. 9(k).)

(10a) County program. - A mental health, developmental disabilities, and substance abuse services program established, operated, and governed by a county pursuant to G.S. 122C-115.1.

(11) Dangerous to self or others.

a. Dangerous to self. - Within the relevant past, the individual has done any of the following:

1. The individual has acted in such a way as to show all of the following:

I. The individual would be unable, without care, supervision, and the continued assistance of others not otherwise available, to exercise self-control, judgment, and discretion in the conduct of the individual's daily responsibilities and social relations, or to satisfy the individual's need for nourishment, personal or medical care, shelter, or self-protection and safety.

II. There is a reasonable probability of the individual's suffering serious physical debilitation within the near future unless adequate treatment is given pursuant to this Chapter. A showing of behavior that is grossly irrational, of actions that the individual is unable to control, of behavior that is grossly inappropriate to the situation, or of other evidence of severely impaired insight and judgment shall create a prima facie inference that the individual is unable to care for himself or herself.

2. The individual has attempted suicide or threatened suicide and that there is a reasonable probability of suicide unless adequate treatment is given pursuant to this Chapter.

3. The individual has mutilated himself or herself or has attempted to mutilate himself or herself and that there is a reasonable probability of serious self-mutilation unless adequate treatment is given pursuant to this Chapter.

Previous episodes of dangerousness to self, when applicable, may be considered when determining reasonable probability of physical debilitation, suicide, or self-mutilation.

b. Dangerous to others. - Within the relevant past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that this conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Clear, cogent, and convincing evidence that an individual has committed a homicide in the relevant past is prima facie evidence of dangerousness to others.

MINUTES CONTINUED FROM FEBRUARY 16th 2026

Scott Brown stated that he would have to speak to the developer regarding annexation, he was unsure of the answer at this time.

Chairperson Nicholas Skatell asked if there was anyone else to speak on the subdivision.

Mr. Wayne Tyndall of 380 NC 82, which is located across from the subdivision, asked questions regarding the number of bedrooms per home, as well as how many parking spaces the homes would have.

Mr. Brown stated that he was unaware, since his client is not the builder, but rather the developer. They would be responsible for creating the lots within the zoning classification and then sell the lots to be built upon.

Mr. Wayne Tyndall asked where the entrance of the subdivision would be, and if there has been any thought of the side of the road they would be turning from.

Mr. Brown stated that they would be following all NCDOT requirements.

Dr. Mary Margaret Tripp Hether, and Mr. Mark Tripp, both of Benjamin Tripp Lane, asked what the stormwater and drainage plan would be for this development. They expressed concern with water coming in from another local development and want to ensure adequate planning to mitigate flooding.

Town Planner Dylan Eure stated that a development of this size would require approval from North Carolina Department of Environmental Quality, depending on the impervious surfaces and ground types.

Chairperson Nicholas Skatell asked if there was anyone else present to speak on this major subdivision. No one came forward.

Board Member Howard Godwin made a motion to approve the Matthew Property Preliminary Major Subdivision, which was seconded by Kathryn Moore. **The Board voted unanimously.**

Family Care Homes

Town Planner Dylan Eure informed the Board that this is a proposed text amendment to Chapter 36, Article 2 of the Code of Ordinances, entitled "Definitions", as well as Chapter 36, Article 5, Sec 36-115 entitled "R-15 Permitted Uses" to provide an updated definition of family-care homes as well as include them as a permitted use within R-15 zoning district, as required by North Carolina General Statute.

Board Member Grace Watts asked if there were any plans to add any new family care homes to Erwin at this time.

Town Planner Dylan Eure stated that there is not, this amendment just brings our Code of Ordinances in line with the General Statutes.

MINUTES CONTINUED FROM FEBRUARY 16th 2026

Vice Chairman Jim Hartman asked if this would change the Good Hope mental hospital zoning?

Town Planner Dylan Eure stated that this would only affect those classified as Family Care Homes, which would allow 2-6 residents, so this would not apply to the hospital.

Vice Chairperson Jim Hartman made a motion to approve this text amendment, which was seconded by Kathryn Moore. **The Board voted unanimously.**

Chairperson Nicholas Skatell asked the Board to read the Statement of Consistency.

Board Member Marsha Woodard read the following Statement of Consistency:

"The proposed text amendment to add the definition of "Family Care Homes" to the Erwin Code of Ordinances, Chapter 36, Article 2, entitled "Definitions", as well as the amendment to Chapter 36, Article 5, Sec 36-115, entitled "R-15 Permitted Uses" allowing Family Care Homes as a permitted use within R-15 zoning district would bring the Town of Erwin's Code of Ordinance in line with the requirements of the North Carolina General Statutes.

Therefore, it is recommended that this amendment be **approved.**"

Board member Howard Godwin made a motion in the affirmative, which was seconded by Kathryn Moore. **The Board voted unanimously.**

ADJOURNMENT

Board Member Howard Godwin made a motion to adjourn the meeting at 7:33 P.M. and was seconded by Kathryn Moore. **Motion unanimously approved.**

**Minutes recorded and typed by
Katelan Blount, Deputy Town Clerk**

A handwritten signature in black ink, appearing to be 'N. Skatell', written over a horizontal line.

**Nicholas Skatell
Chairperson**

A handwritten signature in black ink, appearing to be 'K. Blount', written over a horizontal line.

**Katelan Blount
Deputy Town Clerk**

Statement of Consistency

Family Care Homes Text Amendment

The proposed text amendment to add the definition of "Family Care Homes" to the Erwin Code of Ordinances, Chapter 36, Article 2, entitled "Definitions", as well as the amendment to Chapter 36, Article 5, Sec 36-115, entitled "R-15 Permitted Uses" allowing Family Care Homes as a permitted use within R-15 zoning district would bring the Town of Erwin's Code of Ordinance in line with the requirements of the North Carolina General Statutes.

Therefore, it is recommended that this text amendment **be approved**.



Nicholas Skatell
Chairperson



Katelan Blount
Deputy Town Clerk

§ 160D-907. Family care homes.

(a) The General Assembly finds it is the public policy of this State to provide persons with disabilities with the opportunity to live in a normal residential environment.

(b) As used in this section, the following definitions apply:

- (1) Family care home. – A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.
- (2) Person with disabilities. – A person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)b.

(c) A family care home is deemed a residential use of property for zoning purposes and is a permissible use in all residential districts. No local government shall require that a family care home, its owner, or operator obtain, because of the use, a special use permit or variance from any such zoning regulation; however, a local government may prohibit a family care home from being located within a one-half mile radius of an existing family care home.

(d) A family care home is deemed a residential use of property for the purposes of determining charges or assessments imposed by local governments or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-88, s. 9(k).)

122C-3. Definitions.

changed because an individual is temporarily out of his or her county in a facility or otherwise.

(10a) County program. – A mental health, developmental disabilities, and substance abuse services program established, operated, and governed by a county pursuant to G.S. 122C-115.1.

(11) Dangerous to self or others.

a. Dangerous to self. – Within the relevant past, the individual has done any of the following:

1. The individual has acted in such a way as to show all of the following:

I. The individual would be unable, without care, supervision, and the continued assistance of others not otherwise available, to exercise self-control, judgment, and discretion in the conduct of the individual's daily responsibilities and social relations, or to satisfy the individual's need for nourishment, personal or medical care, shelter, or self-protection and safety.

II. There is a reasonable probability of the individual's suffering serious physical debilitation within the near future unless adequate treatment is given pursuant to this Chapter. A showing of behavior that is grossly irrational, of actions that the individual is unable to control, of behavior that is grossly inappropriate to the situation, or of other evidence of severely impaired insight and judgment shall create a prima facie inference that the individual is unable to care for himself or herself.

2. The individual has attempted suicide or threatened suicide and that there is a reasonable probability of suicide unless adequate treatment is given pursuant to this Chapter.

3. The individual has mutilated himself or herself or has attempted to mutilate himself or herself and that there is a reasonable probability of serious self-mutilation unless adequate treatment is given pursuant to this Chapter.

Previous episodes of dangerousness to self, when applicable, may be considered when determining reasonable probability of physical debilitation, suicide, or self-mutilation.

b. Dangerous to others. – Within the relevant past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that this conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Clear, cogent, and convincing evidence that an individual has committed a homicide in the relevant past is prima facie evidence of dangerousness to others.

(11a) Day/night service. – A service provided on a regular basis, in a structured environment that is offered to the same individual for a period of three or more hours within a 24-hour period.

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, August 6, 2026, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

- Text amendment to Chapter 36- Zoning, Article II: Definitions and Article V: Residential (R-15) of the Town of Erwin Code of Ordinances to provide an updated definition of family-care homes as well as include them as a permitted use within the R-15 zoning district as required by North Carolina General Statutes.

This case is available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the above-mentioned time and place.

7/17,24/2026

Statement of Consistency
Family Care Homes Text Amendment

The proposed text amendment to add the definition of “Family Care Homes” to the Erwin Code of Ordinances, Chapter 36, Article 2, entitled “Definitions”, as well as the amendment to Chapter 36, Article 5, Sec 36-115, entitled “R-15 Permitted Uses” allowing Family Care Homes as a permitted use within R-15 zoning district would bring the Town of Erwin’s Code of Ordinance in line with the requirements of the North Carolina General Statutes.

Therefore, it is recommended that this text amendment **be approved**.

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
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David L. Nelson
William R. Turnage

ORDINANCE OF THE TOWN OF ERWIN, NORTH CAROLINA AMENDING CHAPTER 36- ZONING, ARTICLE II: DEFINITIONS AND ARTICLE V: RESIDENTIAL (R-15) ORD 2026-2027: 001

WHEREAS, the current language of Article II: Definitions and Article V: Residential (R-15) reads:

ARTICLE II. - DEFINITIONS

Sec. 36-34. - Definitions.

Family care home means a facility for not less than two and no more than six children, adolescents, or adults who are mentally, visually or physically handicapped. Adult care is provided as well as a program of services and protective supervision in a home setting. No family care home shall be allowed to locate within a one-half mile radius of an existing family care home.

- (1) A family care home shall be deemed as a residential use of property for zoning purposes and shall be permissible uses in all residential zoning districts. A family care home does not require a special use permit. If there is another family care home located within a one and half mile radius of an existing family care home the town can prohibit any other family care homes in that area.

ARTICLE V. - RESIDENTIAL (R-15)

Sec. 36-115. - Permitted uses and structures.

The following are permitted uses and structures:

- (1) Single-family dwellings.
- (2) Municipal facilities.

WHEREAS, the Town of Erwin wishes to amend the current language of the same in order to better reflect the desired development within the Town's Planning Jurisdiction; and

WHEREAS, the Town of Erwin wishes to amend the current language of the same to read:

ARTICLE II. - DEFINITIONS

Sec. 36-34. - Definitions.

Family care home means a facility for not less than two and no more than six children, adolescents, or adults who are mentally, visually or physically handicapped. **This does not include persons with a mental illness who are dangerous to others as defined within NCGS 122C-3(11)b.** Adult care is provided as well as a program of services and protective supervision in a home setting. No family care home shall be allowed to locate within a one-half mile radius of an existing family care home.

- (1) A family care home shall be deemed as a residential use of property for zoning purposes and shall be permissible uses in all residential zoning districts. A family care home does not require a special use permit. If there is another family care home located within a ~~one and half~~ **one-half**-mile radius of an existing family care home the town ~~can~~ **shall** prohibit any other family care homes in that area.

ARTICLE V. - RESIDENTIAL (R-15)

Sec. 36-115. - Permitted uses and structures.

The following are permitted uses and structures:

- (1) Single-family dwellings.
- (2) Municipal facilities.
- (3) Family care home.**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Erwin, North Carolina that the current language as herein found with respect to Article II: Definitions and Article V: Residential (R-15) of the Town Code is stricken where indicated by strikethrough lines and includes such language as herein indicated by red print.

Adopted this 6th day of August 2026.

ATTEST:

Randy Baker
Mayor

Lauren Evans NCCMC
Town Clerk