

**THE ERWIN BOARD OF COMMISSIONERS  
APRIL 2024 REGULAR MEETING  
THURSDAY, APRIL 4, 2024 @ 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. Minutes Regular Workshop on February 26, 2024 **(Page 2)**
- B. Minutes Regular Meeting on March 7, 2024 **(Page 9)**
- C. 2023-2024 Resurfacing Bids **(Page 17)**
- D. BOA 2024-05 **(Page 18)**
- E. SRO Reimbursement Agreement Amendment **(Page 19)**
- F. SRO One-Time Bonus Agreement **(Page 24)**
- G. ARP Grant Project Ordinance Amendment **(Page 26)**
- H. Storm Water Grant Project Ordinance **(Page 29)**
- I. Historical Bench Program **(Page 30)**
- J. Community Building Renovation **(Page 31)**
- K. Red Hill Church Road Preliminary Plat **(Page 32)**

**4. PRESENTATION OF EMPLOYEE OF THE QUARTER**

**5. PUBLIC HEARING**

- A. Accessory Dwelling Unit Text Amendment **(Page 33)**

**6. PUBLIC COMMENT**

*Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 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. MANAGER'S REPORT**

**8. ATTORNEY'S REPORT**

**9. GOVERNING BODY COMMENTS**

**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**

**FEBRUARY 26, 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, February 26, 2024, at 6:00 P.M. in Erwin, North Carolina.

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

The Board Member absent was: Commissioner William Turnage

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

Also in attendance were Harnett County Manager Brent Trout, Harnett County Board Chairman William Morris, and Harnett County Vice-Chairman Brooks Matthews.

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

Town Attorney Tim Morris led the Pledge of Allegiance.

Commissioner McKoy gave the invocation.

**AGENDA ADJUSTMENT/APPROVAL OF AGENDA**

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

**SPECIAL PRESENTATION: HARNETT REGIONAL WATER- GLENN MCFADDEN**

Glenn McFadden, Assistant Director for Harnett Regional Water, came forward and addressed the Board. He discussed a potential project to improve the water quality in downtown Erwin. He presented the Board with a potential drawing for the project and provided the Board with pictures of a similar project completed in two areas in the Town of Lillington. The biggest issue he wanted to address was the water not moving as it used to in the old cast iron lines, causing a decrease in water quality. Going through led and copper, they must look at the issues with types of buildings and anything before 1983.

*Commissioner Marbell arrived at 6:06 PM.*

Mr. McFadden continued explaining that Harnett Regional Water was looking at placing new water meters at the front of all the stores downtown but that was not fair to the Building Owners

## **MINUTES CONTINUED FROM FEBRUARY 26, 2024**

because their plumbing came in from the back. Harnett Regional Water wanted to place holes to connect to the original waterlines and would either reimburse the Building Owners or find a grant to fund the project.

Mayor Baker asked Mr. McFadden to elaborate on the planned connectivity from the front to the back of the buildings.

Mr. McFadden stated the lines would go through the buildings, possibly through the crawl space if the building had one. Harnett Regional Water would work with each individual building owner, not the business owners, and hire a plumber to make that connection.

Mayor Baker stated a concern that needed to be addressed was that this project was not a quick fix and he wanted to know what Harnett Regional Water proposed to minimize the adverse effect on our Downtown businesses.

Mr. McFadden stated the plumber could come in and do multiple connections a day. A proposed combination of evenings and Sundays could also be worked into the project proposal. They would do their best to never close the entire road down at one time.

Commissioner Blackmon stated he had received the most complaints about the downtime for our businesses. He clarified that Harnett Regional Water planned to go into each business, remove the main tap, and run the lines straight to the sidewalk.

Mr. McFadden stated Harnett Regional Water would contract with an engineer, have a survey completed of the area, then take the plans to each of the property owners and then they will begin moving everything to the front of the buildings, put the waterlines in the edge of the concrete, and finally connect the lines to wherever it ties into the back of the buildings.

Commissioner Blackmon asked if each line or tap could be sized according to occupancy and tailored to each specific business.

Mr. McFadden stated that was correct. They would meet with each building owner and ensure they have the capacity each business needs. He wanted to make sure the Town Board was comfortable with the project before reaching out to the Building Owners. They were still in the initial stages and would come back to the Town Board with an official plan after speaking with the building owners.

## **NEW BUSINESS**

### **Stormwater Issue- Butler Drive**

Sean McBride of 937 Butler Drive. He stated he had lived in Erwin for 35 years. He purchased his property Alvis Oldham and nothing had been done to the property in 120 years. The growth of vegetation came right to the edge of the road. It was his understanding that the Town of Erwin owned 15 feet back from the edge and 30 feet from the center. He and his wife had spent many days cleaning out the vegetation from their ditches. He began having conversations with Town Manager Snow Bowden regarding the issues with Stormwater runoff in 2019. He paid \$2.50 a month for Stormwater and did not have any Stormwater runoff. His neighbor's crawl space

## **MINUTES CONTINUED FROM FEBRUARY 26, 2024**

routinely fills up with water and spent thousands of dollars to have the underside of his house waterproofed. Mr. McBride stated he did all he could to be a good neighbor, he recently spent approximately \$5,600 cutting a ditch from the edge of Butler Drive to the backside of his property, measuring 475 feet long. The work was completed by a grading contractor he hired. Last April the water came close to half of an inch from going over the slab on grade foundations of his neighbors' homes. He questioned whether the homes across the street from his house should have ever been built due to the area being a floodplain. He asked the Board to consider reimbursing him for the money he spent due to the inactivity of the Town on Butler Drive. When the road that the Mill put in was paved, they put a culvert under the road which dumped water on the previous property owner.

### **West K Street**

Town Engineer Bill Dreitzler stated we had an opportunity to request funding for West K Street. He reached out to our consultant to ask for a quote on replacing the culvert versus the tunneling option. He asked the Board for direction so that we could finalize our plans. Based on the price difference, he recommended the tunneling option because it would be less intrusive and better protect Harnett Regional Water's waterlines and Dunn's transmission lines.

Commissioner Blackmon stated he agreed with Town Engineer Bill Dreitzler's recommendation of the tunneling option.

Mayor Baker asked if the downstream effects had been addressed.

Town Engineer Bill Dreitzler stated it had been addressed; he performed a hydraulic analysis.

Mayor Baker informed the Board that we had contacted Representative Penny to request grant funding to address the issue on West K Street.

**The consensus of the Board was to move forward with obtaining plans for the tunneling option.**

Town Engineer Bill Dreitzler stated he would reach back out to the consultant to finalize the plans and have an updated project schedule sent to Town Manager Snow Bowden to keep the Board informed of the timeline.

### **Town Engineer Updates**

Town Engineer Bill Dreitzler stated Town Manager Snow Bowden asked him to provide the Board with some updates on ongoing projects. He received the plans for the additional parking at Al Woodall Park. The bid form take-off was completed, all he had left to do was to put together a little bit of the front end and he hoped to have that completed by the end of the week. He would have recommendations to the Board by our March Workshop. He also updated the Board on the bids for the resurfacing project. Bids were due on March 19th for resurfacing a portion of N 16th Street, N 11th Street (East H Street to near East L Street), and Duke Street. The bid forms were

## **MINUTES CONTINUED FROM FEBRUARY 26, 2024**

on the website for anyone who wanted to bid on the project but he did send the bid forms directly to Paterson, Barnhill, Hyland's, and Mr. Johnson.

### **Multimodal Transportation Grant**

Town Manager Snow Bowden stated this grant opportunity was awarded and administered by NCDOT. We would be applying for a multimodal bicycle and pedestrian plan and we already had a Resolution of endorsement from our RPO. Town Staff was hopeful that if we can obtain this grant, we would meet our #3 goal in our 2023 Land Use Plan which stated "Enhance existing infrastructure and services while providing safe and efficient multi-modal transportation."

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

*Commissioner Blackmon and Commissioner Byrd left at 6:54 PM.*

### **Al Woodall Park State Grant**

Town Manager Snow Bowden stated that the Town would be receiving a \$50,000 grant from the State of North Carolina. The funds were being funneled through Harnett County. Town Staff was requesting permission from the Board to use these funds to resurface the two tennis courts at Al Woodall Park and turn one tennis court into two pickleball courts. The estimated cost for this project would be \$65,000-\$70,000.

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

### **Police Bodycams**

Town Manager Snow Bowden informed the Board that Police Chief Johnson found this grant that was available for rural law enforcement agencies and Town Staff was requesting the approval of the Board to apply. It would require an "in-kind" match from the Town of Erwin. He received a quote for new body cameras and if we received this grant, it would cover the first three years of payments.

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

### **FAMPO Updates**

Town Manager Snow Bowden stated he wanted to make the Board aware that he would be attending a meeting on Monday, March 4th in regards to the Town of Erwin becoming a member of FAMPO. He was unsure of the timeline but he thought we would have already received an MOU but as soon as he received a timeline, he would pass that information on to the Board.

## **MINUTES CONTINUED FROM FEBRUARY 26, 2024**

### **Schedule Budget Retreat**

The Board was provided with potential dates that work best for Town Staff to schedule our upcoming Budget Workshop. Town Manager Snow Bowden asked the Board to look at their calendars and we will plan to schedule our Budget Workshop at our Regularly Scheduled Meeting in March.

#### **ZT-2024-001**

Town Manager Snow Bowden informed the Board that we would have a Public Hearing for a rezoning request off of Hog Heaven Lane. The parcel was currently zoned R-15 and RD and the applicant was requesting to rezone the parcel entirely to RD. The Planning Board did recommend this request for approval. Town Planner Dylan Eure was present to answer any questions the Board may have.

**The consensus of the Board was to move forward with holding a Public Hearing at our Regularly Scheduled Meeting in March.**

#### **ZT-2024-002**

Town Manager Snow Bowden stated that Town Planner Dylan Eure had proposed a zoning map amendment which would address a handful of parcels that were split-zoned, primarily around Moulton Springs Road. The Planning Board did recommend all of these parcels be rezoned. Town Staff wanted to share this proposal with the Town Board prior to scheduling a Public Hearing. Town Planner Dylan Eure had spoken with most of the property owners and explained what we wanted to do and why. Most property owners were very understanding, one property owner did have concerns about the rezoning affecting their taxes. This was the first request of multiple that Town Staff wanted to bring before the Board to help clean up our zoning map.

Town Planner Dylan Eure stated that split-zoned lots were hard to sell or add on to so this rezoning also would help the property owners in the future.

Mayor Baker asked that Town Staff obtain information from the Harnett County Tax Department to be better prepared to answer the concerns of the property owners prior to moving forward with this rezoning request.

### **Golf Course R-15 Permitted Use Text Amendment**

Town Planner Dylan Eure stated that the need for this amendment came to his attention when researching and looking over our zoning maps. He noticed that Chicora was within the R-15 zoning district and golf courses were not currently a permitted use in this district. He also proposed a definition of a golf course.

## **MINUTES CONTINUED FROM FEBRUARY 26, 2024**

### **R.O.W Maintenance Text Amendment**

Town Planner Dylan Eure informed the Board that this text amendment would be making a requirement for homeowners in the Town of Erwin to maintain their right of way to the edge of the street.

**The consensus of the Board was to move forward with holding a Public Hearing at our Regularly Scheduled Meeting in March.**

### **Close Bayles Street Extension**

Town Manager Snow Bowden stated that the Town Board approved a Resolution Declaring Intent at our February Board Meeting to close an undeveloped section of Bayles Street. A public hearing was declared for our regularly scheduled board meeting in March. Once the public hearing is held, a certified copy of the order must be filed with the Harnett County Register of Deeds. Anyone who disagreed with the order had 30 days after its adoption to appeal the order to the General Court of Justice. The easement will be split between the two property owners and return the property back to private property.

### **Upcoming Events**

Town Manager Snow Bowden made the Board aware of two upcoming events to consider attending. The North Carolina League of Municipalities State and Local Dinner will be held on Wednesday, March 27th in Pinehurst, NC. Senator Burgin and Representative Penny will both be attending this dinner. Mid-Carolina Council of Governments Annual Regional Dinner will be held on Thursday, March 28th in Salemburg, NC. He asked that anyone planning to attend, to please let Town Clerk Lauren Evans know by Friday, March 8th.

### **CLOSED SESSION**

Commissioner McKoy made a motion to go into Closed Session Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel and Pursuant to General Statute 143-318.aa(a) (3) for the Purpose of Preserving the Attorney Client Privilege at 7:16 PM and was seconded by Commissioner Nelson. **The Board voted unanimously.**

### **RECONVENED**

Commissioner McKoy made a motion to go back to regular session at 7:51 PM. and was seconded by Commissioner Nelson. **The Board voted unanimously.**

**MINUTES CONTINUED FROM FEBRUARY 26, 2024**

**GOVERNING COMMENTS**

Commissioner Nelson stated that he was glad to see that the hole in his road was patched.

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 7:52 P.M. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

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

**ATTEST:**

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**Randy Baker**  
**Mayor**

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**Lauren Evans NCCMC**  
**Town Clerk**



## ERWIN BOARD OF COMMISSIONERS

### REGULAR MINUTES

MARCH 7, 2024

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, March 7, 2024, at 7:00 P.M. in Erwin, North Carolina.

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

Town Manager Snow Bowden, Town Clerk Lauren Evans, Town Attorney Tim Morris, Finance Officer Katelan Blount, Town Planner Dylan Eure, Code Enforcement Officer Chris Jones, and Police Chief Jonathan Johnson were present.

Mayor Baker called the meeting to order at 7:00 PM.

Commissioner McKoy gave the invocation.

Attorney Vernon Stewart 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 Turnage. **The Board voted unanimously.**

#### CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Minutes of Regular Workshop on January 22, 2024 **(ITEM B)** Minutes of Regular Meeting on February 1, 2024 **(ITEM C)** Multimodal Transportation Grant **(ITEM D)** Al Woodall Park State Grant **(ITEM E)** Police Bodycams Grant **(ITEM F)** Updated Job Classification and Grade Schedule **(ITEM G)** In Town Planning Board Member Application for Grace Watts and was seconded by Commissioner Byrd. **The Board voted unanimously.**

#### PRESENTATION OF JANUARY CITIZEN OF THE MONTH

Vernon Kirkland Stewart of 906 Walnut Drive was recognized as the March 2024 Citizen of the Month. Mayor Baker presented him with a Proclamation Plaque.

*The Proclamation is part of these minutes as an attachment.*

**MINUTES CONTINUED FROM MARCH 7, 2024**

**OATH OF OFFICE FOR DEPUTY TOWN CLERK**

Katelan Blount repeated the Oath of Office as Deputy Town Clerk, accompanied by her daughter, Charlotte Blount, holding the Bible.

**RECESSED**

Commissioner Blackmon made a motion to recess at 7:11 PM for a reception and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

**RECONVENED**

Commissioner Byrd made a motion to go back into regular session at 7:25 PM and was seconded by Commissioner Blackmon. **Motion Unanimously Approved.**

**PUBLIC HEARING**

**ZT-2024-001**

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

Town Planner Dylan Eure came forward and informed the Board that the Town of Erwin received a rezoning request for the parcel located at Harnett County Tax PIN # 1506-15-0948.000. Currently, the parcel was split-zoned 53.27% R-15 and 46.73% RD. The applicant was requesting to have the parcel fully rezoned to RD.

Mayor Baker asked if anyone was present to speak in favor of the request.

Shane Finn of ECE, consultants for South River came forward and addressed the Board. He stated was present to represent the property owners who wished to rezone the property in order to install an electrical substation.

Mayor Baker asked if anyone else was present to speak in favor of the request.

No one came forward.

Mayor Baker asked if anyone else was present to speak in opposition to the request.

No one came forward.

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

Mayor Baker reminded the Board that if this rezoning request were to be approved, any permitted use within the RD district would be allowed.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the following finding of facts are true:

## MINUTES CONTINUED FROM MARCH 7, 2024

- The impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.
- The requested zoning district is compatible with the existing Land Use Classification.
- The proposal does enhance or maintain the public health, safety, and general welfare.
- The request is for a small-scale rezoning and should be evaluated for reasonableness.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Nelson, and unanimously approved by the Board that there is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. Parcel is currently split zoned making it challenging to develop. By rezoning to be entirely under the RD zoning classification it would allow for all permitted uses under said zoning district to occur.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that there is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) The rezoning would place the entire parcel under RD and all permitted uses along with it. Furthermore, the parcel is not within corporate limits of the Town.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that there is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. The parcel is currently split-zoned under both RD and R-15 zoning classification. This would ensure all RD classification and uses on the parcel.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the proposed change is in accord with the Land Development Plan and sound planning principles. The Erwin 2023 Land Use Plan has this parcel of land to be zoned under suburban classifications and by the rezoning would solve the issue of being split-zoned.

Commissioner Byrd made a motion that the requested rezoning from being split-zoned with R-15 and RD to entirely with RD classification is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances the uses defined within the RD zoning classification would best serve the above-stated parcel. It is recommended that this rezoning request be **Approved**.

## **MINUTES CONTINUED FROM MARCH 7, 2024**

Commissioner Blackmon made a motion to adopt Ordinance for Map Amendment Case # ZT-2024-001 Amendment To The Official Zoning Map To Rezone From Split Zoned Residential (R-15) And Rural District (Rd) To Entirely Rural District (RD) Per Zoning Ordinance Article XXIII For Harnett County Pin 1506-15-0948 Ord 2023-2024: 005 and was seconded by Commissioner Nelson. **The Board voted unanimously.**

### **Golf Course R-15 Permitted Use Permitted Use Text Amendment & R.O.W Maintenance Text Amendment**

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

Town Planner Dylan Eure stated this amendment would allow for Golf Courses in our R-15 zoning district. Golf Courses were not a permitted use in R-15 which technically made Chicora Golf Course a nonconforming use of land prohibiting them from expanding their golf course if they wished to do so in the future.

Mayor Baker asked if the Board had any questions about the proposed text amendment.

No discussion was had.

Mayor Baker asked Mr. Eure to go ahead and present the R.O.W Maintenance Text Amendment as well.

Town Planner Dylan Eure stated that the R.O.W Maintenance Text Amendment would better clarify the language within our Code of Ordinances to ensure that property owners are maintaining the right of way and mowing the grass to the edge of the street.

Mayor Baker asked if the Board had any questions about the proposed text amendment.

Commissioner Byrd expressed his concern with the way the text amendment was written. He stated it would not be fair to hold the property owners responsible for something that was in our right of way. This language would be putting an undue burden on our citizens.

Commissioner Blackmon clarified that this amendment would pertain to mainly grass in the ditches. Once you start talking about trees and bushes, it would be an undue hardship for the property owners.

Commissioner Byrd stated he had a problem with asking our citizens to keep the Town's right of way cleaned out. Some citizens are not able to get down in their ditches to clean it out.

Commissioner Blackmon stated that our citizens pay taxes and Town Staff needed to go back and look at the language of this text amendment. We should not ask our citizens to perform duties that the Town should be supplying.

Mayor Baker asked if anyone was present to speak in favor of or against either text amendment.

No one came forward.

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

Commissioner Byrd made a motion to approve the Ordinance of The Town of Erwin, North Carolina Amending 36-34 Definitions and Section 36-115 Permitted Uses And Structures Ord 2023-2024: 006 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

## **MINUTES CONTINUED FROM MARCH 7, 2024**

Commissioner Blackmon made a motion to table the Public Hearing for the R.O.W Maintenance Text Amendment until our regularly scheduled Board meeting in April to provide Town Staff with adequate time to clarify the verbiage of the text amendment and was seconded by Commissioner McKoy. **The Board voted unanimously.**

### **Close Bayles Street Extension**

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

Town Manager Snow Bowden stated that this request was to close a section of Bayles Street that had never been opened. The notice was properly advertised, and signs were posted at two places along the street. A resolution declaring intent was passed by the Town Board in February. If the Board sees fit, we will adopt a resolution to close the undeveloped section of Bayles Street which will be filed with the Register of Deeds. As long as there is no opposition to the order within 30 days of adoption, the Town would hire a surveyor to deed the property to private property and split the land between the two property owners on each side.

Mayor Baker asked if anyone was present to speak in favor of the request.

Ron Dease of 612 Wondertown Drive came forward and addressed the Board. He stated he had issues with dirt bikes and lawnmowers all day long between his and his neighbor's house. People go through his property pushing shopping carts and leaving them on his lawn. He asked the Board to please close the street. It was a nuisance to him and his neighbor and a fire hazard because the ground was so dry in that area.

Mayor Baker asked if anyone else was present to speak in favor of or against the closure of this section of Bayles Street.

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 Blackmon made a motion to adopt the Town of Erwin Resolution Ordering the Following Street Closed: An Undeveloped Section of Bayles Street 2023-2024--004 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

## **PUBLIC HEARING**

### **Schedule Budget Workshop**

Town Manager Snow Bowden stated at our Workshop, the Town Board was provided with potential dates for our Budget Workshop. He asked the Board to consider March 21<sup>st</sup> if that date worked for the majority of the Board.

**The consensus of the Board was to schedule the Annual Budget Workshop on Thursday, March 21<sup>st</sup> at 9 AM.**

## **MINUTES CONTINUED FROM MARCH 7, 2024**

### **PUBLIC COMMENT**

No one was present to speak.

### **MANAGER'S REPORT**

Town Manager Snow Bowden informed the Board:

- The meeting he attended the past week with FAMPO went well. He expected us to have an updated MOU to discuss at our March workshop meeting. FAMPO staff had already reached out to us to let us know about a grant opportunity that could be beneficial for the Town. We should have more grant opportunities for sidewalks, road improvements, and other transportation needs.
- We should be wrapping up the CORE (creating outdoor recreation economics) program this month. Hopefully, we will have a report to discuss at our March or April workshop meeting.
- The old white house restaurant located off of HWY 421 should be torn down soon. The owners had hoped to let this structure be used for a control burn but due to a request from Duke Energy, they are going to just demolish the structure. They planned to have the structure demolished by the end of this month. They have already received approval for the land development of this parcel from NCDEQ and NCDOT.
- We were going to have a pretty packed agenda for our Planning Board in March. We had a major subdivision located off of Red Hill Church Road that was 12 lots at the moment.
  - Town Staff will present a proposed overlay district for HWY 421
  - Town Staff will present a number of proposed new definitions to add to our Town Code and other updates to land uses to be permitted by right and/or special use
  - Town Staff will present an update on our fines for code violations. This update will hopefully give us more power when it comes to repeat violators.
- He and Linda Williams will be attending a comprehensive fiscal training class in March being hosted by the NC League of Municipalities.
- The last day for sign-ups for spring sports was Saturday, March 9th. Town Hall would be open from 9 AM till 12 PM.
- We will present the bids for the streets to be resurfaced at our April Town Board meeting.
- We will present the bids for the Al Woodall Park expansion project at our April Town Board meeting.
- We were still waiting on a letter from the State of NC in regards to the Stormwater MGT plan grant that we were awarded. As soon as we receive the letter of intent to fund from the State of NC we will send out an RFQ to try and find a qualified firm to help us with this plan.
- We will have a quote to discuss the Community Building bathrooms at our March workshop meeting.
- Town Staff met with parties that were interested in leasing spaces at the Central Carolina Industrial Park (the mill). He had multiple conversations with the new owners and other stakeholders about potential growth opportunities.
- We were working on our other grant opportunities as items get approved.
- All budget requests had been turned in for the next Fiscal Year. There were a lot of requests submitted. He would do his best to fund the items that the Town needs the most. With the costs of everything increasing and some uncertainty with the economy, this was going to be a tough budget year.
- Just an FYI, the Erwin Lions Club was having a pancake dinner for a fundraiser on Tuesday, March 19th starting at 5:30 PM at the Erwin Community Building.

## **MINUTES CONTINUED FROM MARCH 7, 2024**

- At our March workshop meeting we should have everything ready to present a historical bench program. Town Staff has prepared locations and proposed designs for benches to be placed in honor or memory of someone throughout the Town. This was also a way for us to preserve our history by incorporating historical images of the Town of Erwin.
- The Erwin Annual Remembrance Service will be held on Tuesday, April 9th at 6 PM at Al Woodall Park in honor of lives lost in our community this past year.

Mayor Baker asked for an update on West K Street.

Town Manager Snow Bowden stated that he would follow up with Town Engineer Bill Dreitzler. The last he heard; we were still waiting on the State.

## **ATTORNEY'S REPORT**

Town Attorney Tim Morris thanked the Board for allowing him to be their Town Attorney. He stated he would be cooking pancakes at the Erwin Lion's Club Pancake Supper and asked everyone to please attend. The event was for a good cause.

## **GOVERNING COMMENTS**

Commissioner Turnage stated he went riding around Town earlier that day to see what clean-ups were needed. He received a complaint regarding 104 Holmes Street, their fence was on the ground and the Town needed to address it. 306 West B Street had junk in their car garage and placed plastic over the door to cover it up. 410 West H Street's yard looked like a trash pile, and we also needed to follow up with the mess at the Gettin Place.

Commissioner Nelson stated he was thankful for Town Staff. He appreciated all the fine work that Police Chief Jonathan Johnson and his staff do. He reminded the Board Members to go see Town Clerk Lauren Evans to set up their Town emails if they had not done so.

Commissioner Byrd asked if we had received any timelines from NCDOT to fix our roads. He stated that Old Post Road and a road in Commissioner McKoy's ward were in bad shape. We needed to contact our Representatives to assist us in getting the work done. He thanked Town Staff for all they do.

Commissioner Blackmon congratulated Deputy Town Clerk Katelan Blount on being sworn in earlier in the meeting. He inquired about why West E Street had not been paved in a long time. West E Street was on our Powell Bill map and there was no reason for it to not be paved in as bad of shape as it was. He stated in regard to the presentation from Glenn McFadden at our February Workshop, he wanted to make sure the businesses had a say. He inquired if Mr. McFadden's plan would clear up the issues for the business owners across the street as well.

Commissioner McKoy congratulated Deputy Town Clerk Katelan Blount on being sworn in earlier in the meeting. He stated that people call him and compliment our Town Staff on the positive encounters they have been coming to Town Hall. He wanted to pass that sentiment on to Town Staff and keep doing what they were doing because it was noticed.

**MINUTES CONTINUED FROM MARCH 7, 2024**

**ADJOURNMENT**

Commissioner Nelson made a motion to adjourn at 8:13 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**





**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

**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

**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

**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:

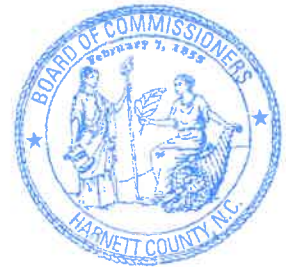
\_\_\_\_\_

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



# TOWN OF ERWIN

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

<b>Internal Project ARP/CSLFRF Code</b>	<b>Project Description Appropriation Description</b>	<b>Expenditure Category (EC)</b>	<b>Cost Object of Funds</b>
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 \$
<b>TOTAL</b>			
<b>\$1,643,204.02</b>			

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

---

Randy Baker  
Mayor

Attest:

---

Lauren Evans  
Town Clerk



# TOWN OF ERWIN

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

**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



# TOWN OF ERWIN

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

## RESOLUTION ESTABLISHING THE ERWIN HISTORICAL BENCH COMMITTEE

2023-2024—005

**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 to 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 will 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

---

**Lauren Evans NCCMC**  
Town Clerk

# 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>		\$89,000.00





# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Dylan Eure, Town Planner

Date: April 4th, 2024

Subject: Accessory Dwelling Unit Text Amendment

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The Town of Erwin Staff has received a petition to amend its Code of Ordinances to allow for accessory dwelling structures in all residential districts by a Mr. Ricky Davis of BARZ Holdings, who owns rental properties within the Town of Erwin. Said amendment would add the proposed definition of accessory dwelling units to Chapter 36 Article 2 entitled Definitions, along with the proposed regulations within the same chapter under Article XV entitled General Provisions. The purpose of the said petitioned amendment is to increase the amount of affordable living options for those who may be priced out by the marketplace. Said amendment was authored by the property owner (Rickey Davis) and was written by the Erwin Town Planner (Dylan Eure) as per the petition to amend the Erwin Code of Ordinances requires. Per the 2023 Erwin Land Use Plan Goal 1 LUH 4.2 states that accessory dwellings are to be allowed and are desirable to increase housing options.

### **Proposed Regulation:**

#### Accessory Dwellings:

1. Accessory dwelling units are permitted as an accessory use to a residential use in which is subordinate to the principal structure.
2. Accessory dwelling units must be able to conform to an additional fifty (50) feet of frontage in addition to the required frontage of the principal structure.
3. Accessory dwelling units shall have double the required lot size that is permitted within the designated zoning district.
4. Only one (1) accessory dwelling is permitted per residency.
5. The maximum size of the accessory dwelling unit is lesser than fifty (50) percent of the living area of the principal structure or one thousand (1,000) square feet, whichever is lesser.
6. Accessory Dwelling must be a minimum of 10 feet from the side property and rear property lines or principal structure. Under no circumstance shall accessory dwellings be placed within the front setback.
7. Manufactured housing, campers, travel trailers, or any other recreational vehicles are not permitted for use as an accessory dwelling.
8. Must contain complete kitchen facilities including a stove/cook top and a full bath containing a lavatory, and tub or shower.

9. One off-street parking place shall be provided.
10. Accessory dwellings shall be built to North Carolina Building Standards or have been certified by a licensed engineer that the structure is suitable for habitation.
11. Accessory dwellings must be on the separate water and utilities as the principal structure.
12. Any accessory dwelling unit that is being built must be done by a certificated general contractor as required per NC General Statute Chapter 87.

**Proposed definition of an accessory dwelling unit:**

A detached smaller, self-contained home that is subordinate to the principal structure and built to North Carolina Building Code for the purpose of occupying and or renting by the property owner.



# 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)

  
 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)

  
 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>8300</u>	Date Paid: <u>11/19/24</u>	Staff Initials: <u>KB</u>
-----------------------	----------------------------	---------------------------

**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.

# 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, April 4, 2024, 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 Planner Dylan Eure at 910-591-4201 or by email at [deure@erwin-nc.org](mailto:deure@erwin-nc.org).

- Text Amendment to Chapter 36 Zoning, Article XX Administration and Enforcement, Section 36-584.- Penalty in the Town of Erwin Code of Ordinances.
- Text Amendment to Chapter 36 Zoning, Article II.- Definitions in the Town of Erwin Code of Ordinances.
- Text Amendment to Chapter 36 Zoning, Article II.- Definitions and Article XV. -General Provisions in the Town of Erwin Code of Ordinances.
- Text Amendment to Chapter 12 Environment, Article IV. – Weeds, Hedges, Tall Grass, and Other Vegetation, Section 12-92. – Definitions.

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

3/19,26/2024



# TOWN OF ERWIN

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

## **ORDINANCE OF THE TOWN OF ERWIN, NORTH CAROLINA AMENDING CHAPTER 36 ARTICLE II. – DEFINITIONS AND ARTICLE XV.- GENERAL PROVISIONS ORD 2023-2024: 008**

**WHEREAS**, the current language of Chapter 36 Article II.- Definitions does not define Accessory Dwelling Units; and

**WHEREAS**, the current language of Chapter 36 Article XV.- General Provisions does not include regulations regarding Accessory Dwelling Units; and

**WHEREAS**, the Town of Erwin wishes to add dictation to Chapter 36, Article II.- Definitions, and Article XV.- General Provisions in order to better reflect the desired development within the Town’s Planning Jurisdiction; and

**WHEREAS**, the Town of Erwin wishes the amendment to read:

### **ARTICLE II.- DEFINITIONS**

***Accessory Dwelling Unit*** is a detached smaller, self-contained home that is subordinate to the principal structure and built to the North Carolina Building Code for the purpose of occupying and/or renting by the property owner.

### **ARTICLE XV.- GENERAL PROVISIONS**

#### **Sec. 36-446.- Accessory Dwellings**

- 1. Accessory dwelling units are permitted as an accessory use to a residential use in which is subordinate to the principal structure.**
- 2. Accessory dwelling units must be able to conform to an additional fifty (50) feet of frontage in addition to the required frontage of the principal structure.**
- 3. Accessory dwelling units shall have double the required lot size that is permitted within the designated zoning district.**
- 4. Only one (1) accessory dwelling is permitted per residency.**
- 5. The maximum size of the accessory dwelling unit is less than fifty (50) percent of the living area of the principal structure or one thousand (1,000) square feet, whichever is less.**

- 6. Accessory Dwelling must be a minimum of 10 feet from the side property and rear property lines or principal structure. Under no circumstance shall accessory dwellings be placed within the front setback.**
- 7. Manufactured housing, campers, travel trailers, or any other recreational vehicles are not permitted for use as an accessory dwelling.**
- 8. Must contain complete kitchen facilities including a stove/cooktop and a full bath containing a lavatory, and tub or shower.**
- 9. One off-street parking place shall be provided.**
- 10. Accessory dwellings shall be built to North Carolina Building Standards or have been certified by a licensed engineer that the structure is suitable for habitation.**
- 11. Accessory dwellings must be on the separate water and utilities as the principal structure.**
- 12. Any accessory dwelling unit that is being built must be done by a certificated general contractor as required per NC General Statute Chapter 87.**

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Erwin, North Carolina that the language as herein found with respect to Chapter 36, Article II.- Definitions; and Article XV.- General Provisions of the Town Code is indicated by bold print.

Adopted this 4<sup>th</sup> day of April 2024.

ATTEST:

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

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