

**THE ERWIN BOARD OF COMMISSIONERS
JANUARY 2024 REGULAR MEETING
THURSDAY, JANUARY 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. Regular Meeting on December 7, 2023 **(Page 2)**

4. **PRESENTATION OF FISCAL YEAR 2022-2023 AUDIT (Separate Attachment)**

5. **PRESENTATION OF JANUARY CITIZEN OF THE MONTH**

6. **PRESENTATION OF EMPLOYEE OF THE QUARTER**

7. **RECESS FOR REFRESHMENTS IN RECOGNITION OF OUR HONOREES**

8. **PUBLIC HEARING**
 - A. ZT-2023-006 **(Page 8)**
 - B. School Safety Zone **(Page 22)**

9. **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

10. **MANAGER’S REPORT**

11. **ATTORNEY’S REPORT**

12. **GOVERNING BODY COMMENTS**

13. **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 MINUTES

DECEMBER 7, 2023

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, December 7, 2023, 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, William Turnage, David Nelson, and Alvester McKoy.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Town Attorney Tim Morris, Police Chief Jonathan Johnson, and Town Planner Dylan Eure were present.

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

Commissioner McKoy gave the invocation.

Commissioner Turnage led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to move item A under New Business, CCAP Grant, after the Closed Session. He also requested to add Item B under Closed Session for the Purpose of Preserving the Attorney-Client Privilege.

Commissioner Blackmon made a motion to approve the agenda as amended 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 October 23, 2023 **(ITEM B)** Minutes Regular Meeting on November 2, 2023 **(ITEM C)** In Town Planning Board Member Application for Jim Hartman Jr. **(ITEM D)** 2023 Meeting Schedule and was seconded by Commissioner Turnage. **The Board voted unanimously.**

PROCLAMATION RECOGNIZING THE TRITON HIGH SCHOOL BOYS VARSITY SOCCER TEAM

The Town Board of Commissioners recognized Coaches Brian Foster and Heather Foster and the players on the 2023 Triton

MINUTES CONTINUED FROM DECEMBER 7, 2023

High School Boys Varsity Soccer Team for an amazing season. Mayor Baker presented Coach Brian Foster with a Proclamation Plaque.

The Proclamation is part of these minutes as an attachment.

PROCLAMATION RECOGNIZING DETECTIVE CHARLES NORRIS, K9 CLINT, AND ERWIN POLICE DEPARTMENT

The Town Board of Commissioners recognized Detective Charles Norris, K9 Clint, and the Erwin Police Department for their faithful service and dedication to the people of the Town of Erwin. Mayor Baker presented Police Ch with a Proclamation Plaque.

The Proclamation is part of these minutes as an attachment.

PUBLIC COMMENT

No one was present to speak.

NEW BUSINESS**Erwin Public Library Representative**

Town Manager Snow Bowden stated that this was a request to have the Town Board endorse Stacey Walsh as the Library Board of Trustee Representative for the Erwin Public Library. Stacey has served a 3-year term and is renewing for an additional 3-year term. She has been voted Vice President-Elect should her reappointment be approved.

Commissioner Byrd made a motion to accept and place Stacey Walsh as the Library Board of Trustee Representative for the Erwin Public Library and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

School Zone Ordinance

Town Manager Snow Bowden stated the Town had received a fair number of complaints of people speeding around the new Erwin Elementary School, especially on East D Street and S 10th Street. He originally thought we would have to do a text amendment to our Ordinances but after further research, general statute allows the Town Board to adopt an Ordinance establishing a school district safety zone. It would be established by signage stating the hours. The first step was to adopt the Ordinance.

Commissioner Blackmon asked for clarification to be included in the ordinance to indicate where the school zone will start and end on East D Street. He also felt that East E Street and East F Street should be included as well.

After some discussion from the Board, it was the consensus of the Board to table this discussion until our January Board Meeting, staff advertise a Public Hearing to allow the public to speak prior to the adoption of the Ordinance.

MINUTES CONTINUED FROM DECEMBER 7, 2023

MANAGER'S REPORT

Town Manager Snow Bowden provided the Board with a year-in-review report:

- Cloud Wyze fiber project nearing completion. We experienced a lot of growing pains with this project. But our residents now have another option for high-speed internet. We were still working with V1 Fiber to get some other sites fixed.
- 8 new homes built were in Town Limits
- 1 home was demolished in Town Limits
- 2 homes were demolished in our ETJ
- 20 new homes were built in the ETJ, most of these homes were in Schaberts Crossing. This development was mostly built out. There were still a few more parcels to be built on.
- 13 Zoning permits were issued for home additions in Town Limits.
- 35 miscellaneous zoning permits were issued for other requests.
- Upgrades were made to the existing parking lot at Al Woodall Park. We paved the old gravel section of the lot. We also repaved the entire parking lot with asphalt and created a second entrance/exit to better accommodate people using Al Woodall Park. A \$50,000 grant covered a portion of this project.
- The adoption of our 2023 updated Land Use Plan. Plans were in place to update our Town Code in 2024 and an overlay district on HWY 421.
- We hired Dylan Eure to serve as our Town Planner. He was a recent Campbell grad and was currently in grad school at NC State.
- We started a K-9 division in the Erwin Police Department. We recognized Clint earlier tonight for all of his hard work so far. We had heard the complaints about drugs from our residents so we were hoping Clint would help us try and address these issues. He expressed his sincere gratitude to every individual and business owner who contributed to this project. It would not have been possible without their help. He thanked the Erwin Board of Town Commissioners for their support and also the officers in the Erwin Police Department for working so hard to raise the funds. They raised close to \$20,000. He thanked Chief Johnson, Lt. Ennis, and Detectives Core and Norris.
- We approved two special use permit(s) for townhome developments. One for a 10-unit and the other one for a 90-unit development. Hopefully, these projects would add to our housing inventory and provide other options for people who want to live in Erwin.
- We completed an updated pavement condition study. This would better assist us when making recommendations for roads to be resurfaced.

Town Manager Snow Bowden informed the Board that:

- RFQ for the St. Matthews Water and Sewer Extension were on the street and submittals were due on 12-24-23. This was the \$1M S.L. 2022 appropriation.

MINUTES CONTINUED FROM DECEMBER 7, 2023

- W K Street Culvert meeting on Tuesday, December 5th with representatives from Dunn, HRW, Gradient, and Erwin. The purpose was to discuss how to incorporate the protection of the HRW 8-inch water line and the Dunn 24-inch water line as it relates to the significant excavation the project would require. Dunn was going to be evaluating options to support the 24-inch transmission line immediately as the pipe was already exposed.
- We were awaiting the video from Pipe View for the lines from N 9th Street to E I Street (through yards).
- An RFQ would be ready to advertise for the \$500,000 Stormwater Study appropriation when the Division of Water Infrastructure provides the Letter of Intent to Fund.
- Our Town Engineer Bill Dreitzler should have the resurfacing recommendations ready to discuss at our January workshop meeting.
- The town received two additional grants in the 2023 Appropriations Act. He wanted to thank Rep. Penny for helping the Town get these funds.
 - 500k for economic development
 - 480k for park expansion and related equipment
- We were working with Harnett County on an updated SRO agreement.
- Our updated website should be live by next week. He thanked Lauren Evans for all of her hard work on this project. He had learned a lot from this process. If he had done it over again, he would have requested additional funds to do the update out of house. We were able to save funds by completing the work in-house. We were waiting on a few additional administrative updates from the firm that hosts the site.
- Our auditors will be at our January Town Board meeting to present the FY 2022-2023 Audit report.
- We were going to have a busy weekend in Erwin this weekend. Just an FYI, the annual Nutcracker run will be taking place on the Dunn Erwin Rail Trail on Saturday, December 9th for most of the day. It should be over by the middle of the afternoon. This year they had someone traveling from the State of Washington to run in this endurance run. At Al Woodall Park we had the “Jolly Copter” fly-in event as well.

ATTORNEY’S REPORT

Town Attorney Tim Morris thanked the Board for allowing him to be their Town Attorney. He informed the Board that he met with Harnett County Manager Brent Trout, as a private citizen and not a representative of the Town, about the water issues in Erwin. He stated that Mr. Trout had a multi-phase plan to address the issues.

GOVERNING COMMENTS

Commissioner Turnage thanked everyone who had a part in the Erwin Christmas Parade. He thought it was one of the biggest and nicest Christmas parades the Town had ever had. He informed the Board that

MINUTES CONTINUED FROM DECEMBER 7, 2023

South Erwin Baptist will be flying Santa Claus into Al Woodall Park. The weather is going to be beautiful at 10 AM Saturday.

Commissioner Nelson thanked the Erwin Police Department for all they do and he thought that the K9 program was going to be a big help. He thanked Town Manager Snow Bowden, Town Clerk Lauren Evans, Finance Director Linda Williams, Finance Officer Katelan Blount, Public Works Director Mark Byrd, and all of the Public Works Department for all they did to help with the Christmas Parade. He wished everyone a Merry Christmas.

Commissioner Byrd inquired about the leash laws in Town. We have animals running everywhere. There was a Pitbull at his home chasing this cat on the back porch. It was not just him, there were problems all over Town and have been for a while. The Town needed to be enforcing the leash laws. He asked for updates on the McBride situation.

Town Manager Snow Bowden stated we were still evaluating the situation. He attended a two-day Storm Water class and he would take the knowledge from this class and apply it to the situation. He had stayed in contact with Mr. McBride and hoped to bring a solution to the Board at our January Workshop.

Commissioner Byrd thanked all Town Employees and citizens for coming to be a part of our meetings. He hoped everyone had a nice Holiday.

Commissioner Marbell thanked Town Staff for all they do. He stated he does not usually say a lot but that did not mean he did not appreciate it. He wished everyone a Merry Christmas and a Happy New Year.

Commissioner Blackmon and Commissioner McKoy stated their fellow commissioners said it all.

Commissioner McKoy asked everyone to remember to real reason for Christmas and why we celebrate Christmas. Gift-giving is not what it was all about, think about who came and why he came. He asked that everyone remember the less fortunate. He thanked Town Staff for all they do and wished everyone a Merry Christmas.

Mayor Baker stated he echoed those same comments. He informed the Board of the Habitat House that was built for a family of 6 and he welcomed them to Erwin. He echoed the comments of the wonderful Christmas Parade, he thanked Town Staff and Commissioner Blackmon as the Chief of the Fire Department for all they did. The Fire Department always jumps in with the Police Department to help. He asked Police Chief Jonathan Johnson to come forward and explain the Shop with a First Responder event.

Police Chief Jonathan Johnson stated Shop with a First Responder was a kick-off to the event in Dunn, Shop with a Cop. The Erwin Police Department partnered with the Dunn Police Department for the last few years to participate in Shop with a Cop. This year, he and his staff wanted to bring it back to Erwin and do our own thing. Due to the generous donations of businesses and residents, we would be able to sponsor 40 children with \$200 per child. Many local pizza restaurants were donating pizzas for the children to have a pizza party back at the Community Building after shopping. The event will be on December 20th at 5:30 PM. He hoped the build and grow this event every year and extend it beyond Christmas.

Commissioner Blackmon stated our community was so good to open up and donate to the cause. He thanked Police Chief Jonathan Johnson for inviting the Fire Department and creating the event.

Mayor Baker stated he was proud of our Staff. We had a caring close-knit community. He wished everyone a Merry Christmas and looked forward to the New Year.

MINUTES CONTINUED FROM DECEMBER 7, 2023**CLOSED SESSION**

Commissioner Blackmon 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 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege at 7:49 PM and was seconded by Commissioner Nelson. **The Board voted unanimously.**

RECONVENED

Commissioner Byrd made a motion to go back to regular session at 8:33 PM. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

NEW BUSINESS**CCAP Grant**

Commissioner Blackmon made a motion to adopt the W.N. Porter Park Stream Restoration Project Resolution and was seconded by Commissioner Byrd. **The Board voted unanimously.**

ADJOURNMENT

Commissioner Byrd made a motion to adjourn at 8:34 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



TOWN OF ERWIN

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

1/4/2023

ZT-2023-006 **Memorandum**

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

Rezoning Description

The Town of Erwin has received a request to rezone a piece of property located at 261 Suggs Road Dunn, NC. Said parcel is currently zoned under Industrial and the request is to move it to its neighboring land use type of being under the Rural District. The owner of the parcel who is Eldridge and Franklin Investments of Clayton North Carolina has intentions to sell said parcel for the development of a single family home. The Harnett County Tax Pin for the parcel is 1507-28-9258.000.

Property Description

The overall size of the property is 1.9 acres totaling approximately 53,500 Sq Feet with the closet accessible road being Suggs Road off of Red Hill Church Road. Its current zoning classification is M-1 Industrial but has been used for single family homes previously. According to Harnett County GIS the parcel is approximately .6 of a mile away from Erwin's corporate limits and is in the municipalities planning jurisdiction. According to GIS said parcel is not within a flood zone, wetland, or watershed location.

Findings of Fact

Eldridge and Franklin Investments of Clayton NC put in a request to rezone 621 Suggs Road from Industrial to be a part of the Rural District to construct a single family home on said parcel on November 13th, 2023. Neighboring land uses are Industrial to the West and Southwest. With the Rural District being on the South, East, North, and Northeast of the parcel. After visiting the site it seems to have once been a single family home that was demolished.

Regards,

Dylan Eure
Town Planner

(check #00162)

Revised 9-19-2014



Application for an Amendment To The Official Zoning Map of Erwin, NC

PAID

Staff Only: Zoning Case # Z-2023 - 006
Fee: \$300 Check # 001621 MO NA Cash NA
PB Recommendation: A D A/W Conditions
BOC Date: 1/4/23 Decision: A D T A/W Conditions

Print Applicant Name: Eldridge and Franklin Investments
Name of Legal Property Owner Eldridge and Franklin Investments
Location of Property 261 Suggs Rd Dunn NC

Please Circle One of the Following: Less than one Acre One to 4.99 Acres Five or more Acres

Zoning change requested from Industrial to Residential (MD)

If Conditional District, note conditions: _____

Harnett County Tax Map PIN 1507-28-9258

Property owner(s) of area requested and address(es)
Branley T Baker 4065 Powhatan Rd Clayton NC, 27520

(If more space is required, please attach to this document separately)

- Submit names and addresses of property owners immediately adjacent to the proposed rezoning area (and properties within 100 feet of proposed rezoning area) and across any street(s) and identify on an area map
- Attach a metes and bounds description, deed drawing of the area involved or a reference to lots in an approved subdivision on the entire property requested for change
- This application must be filed with the Town Hall by 4:00 p.m. on the Friday which is at least 25 days before the meeting at which it is to be considered and may be withdrawn without penalty no later than 19 days prior to the public hearing

Whenever an application requesting an amendment has been acted on and denied by the Town Board, such application, or one substantially similar shall not be reconsidered sooner than one year after the previous denial.

It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed Zoning Amendment with Affected Property Owners.

[Signature] 919-262-6828
Signature of Applicant Contact Number

4065 Powhatan Rd Clayton NC 27520
Mailing Address of Applicant



**REZONING MAP REQUEST
STAFF REPORT**

Case: ZT-2023-006

Dylan Eure, Town Planner

deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Planning Board: 12/18/2023

Town Commissioners: 01/04/2024

Requested zoning map amendment for a single parcel zoned under Industrial (M-1) to Erwin's Rural District (RD) for the purpose of building a single family dwelling.

Applicant Information

Owner of Record:

Name: Eldridge and Franklin Investments

Address: 4065 Powhatan Rd

City/State/Zip: Clayton, NC 27520

Applicant:

Name: Eldridge and Franklin Investments

Address: 4065 Powhatan Rd

City/State/Zip: Clayton, NC 27520

Property Description

261 Suggs Road Dunn, NC 28334 (HC Tax Pin #1507-28-9258)

Vicinity Map

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts

Physical Characteristics

Site Description: A single vacant parcel totaling 1.90 acres which had previously been a single family dwelling that has since been demolished located on Suggs Road. According to Harnett County GIS no water or sewer lines are accessible through the property. Septic system and well may already be installed on the property, however, there are no former site plans available

through GIS. Said parcel is not within municipal boundaries but is within Erwin's planning jurisdiction.

Surrounding Land Uses: The surrounding land uses are Industrial (M-1) to the West and South West with the Rural District to the South, East and North of the property.

Services Available

- Duke Energy for electric
 - No water or sewer lines run by the home, home will require well and septic if not already installed by former owners.
-
-

Staff Evaluation

The applicant has requested to have a single parcel rezoned from Industrial (M-1) to Erwin's Rural District (RD).

Staff Evaluation

Yes No 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

- **Reasoning:** A single family dwelling used to be on the property and is surrounded by an existing neighborhood.

Yes No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

- **Reasoning:** According to Erwin's current Land Use Plan done in 2023 the property is assigned to be labeled Industrial. However, all other parcels in use in the area are zoned for residential uses.

Yes No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

- **Reasoning:** The proposed zoning change would allow for the parcel to provide additional housing for the municipality.

Yes No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness.

- **Reasoning:** This rezoning request includes a single parcel that was occupied by a single family home before demolition.

<p>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. YES</p>	<p>Rezoning is for a single parcel to be considered residential so a single family home may be built on the parcel.</p>
<p>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.) YES</p>	<p>The rezoning would only classify a single parcel to be residential like the other parcels in the surrounding area.</p>
<p>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. YES</p>	<p>The area affected is already zoned under RD and have single family homes on the lots.</p>
<p>The proposed change is in accord with the Land Development Plan and sound planning principles. YES</p>	<p>Even though the parcel is labeled in the 2023 Land Use Plan to be Industrial all of the surrounding parcels being used are for Residential uses.</p>

Statement of Consistency

The requested rezoning from M-1 to RD is compatible with all of the Town of Erwin’s regulatory documents and would not only have a positive impact on the surrounding community but create additional housing for future residents of Erwin. According to Erwin’s 2023 Land Use Plan this parcel is directly on the boarder of the M-1 Industrial District and the Rural District. It is recommended that this rezoning request be **Approved**.

Attachments:

- ZT-2023-006 Application
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheet

- Public notice letter sent to adjacent property owners



Edward Turlington
PO Box 1027
Dunn, NC 28335

James Anthony Peterkin
PO Box 826
Coats, NC 27521

Harnett County
PO Box 759
Lillington, NC 27546

Duran Hugo Munguila
114 Clayton Rd
Angier, NC 27501

Mary Lockamy
149 Suggs Rd
Dunn, NC 28334

Christine Annie Wiggins & Billy Alston Simon
306 Suggs Rd
Dunn, NC 28334



TOWN OF ERWIN

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12/19/2023

Notice of a Public Hearing ZT-2023-006

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on January 4th, 2024 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed rezoning request.

There has been a zoning map amendment application submitted to the Town. The rezoning request includes a single parcel of land that are listed below:

- 261 Suggs Road Dunn, NC 28334 (HC Tax Pin: 1507-28-9258)

The applicant has requested to have the parcel listed above rezoned from Industrial (M-1) to the Rural District (R-D). The applicant would like to build a single family home which are permitted within the Town's Industrial District.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org

Regards,

Dylan Eure
Town Planner

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, January 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 Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

- Case ZT-2023-006: Request to have a parcel located at 261 Suggs Road rezoned from Industrial District (M-1) to Rural District (RD). The property can also be identified by its Harnett County Tax PIN # 1507-28-9258.000.
- Establish a School Safety Zone on a portion of South 10th Street, East D Street, East E Street, and East F Street.

This case is 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.

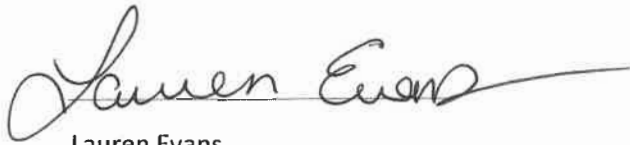
12/15,22/2023

Statement-of-Consistency

The requested rezoning to RD is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.



Joshua Schmieding
Planning Board Vice-Chairperson



Lauren Evans
Town Clerk

Statement-of-Consistency

The requested rezoning to RD is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.

Randy Baker
Mayor

Lauren Evans
Town Clerk

Statement-of-Inconsistency

The requested rezoning to RD is not compatible with all of the Town of Erwin's regulatory documents and would not have a positive impact on the surrounding community and would not enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Not Approved**.

Randy Baker
Mayor

Lauren Evans
Town Clerk



TOWN OF ERWIN

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**ORDINANCE FOR MAP AMENDMENT CASE # ZT-2023-006
AMENDMENT TO THE OFFICIAL ZONING MAP TO REZONE
FROM INDUSTRIAL (M-1) TO RURAL DISTRICT (RD)
PER ZONING ORDINANCE ARTICLE XXIII
FOR HARNETT COUNTY PIN 1507-28-9258.000
ORD 2023-2024: 004**

Per *Chapter 36 Zoning, Article XXIII, Changes and Amendments*, Harnett County PIN 1507-28-9258.000 owned by Eldridge and Franklin Investments LLC has been rezoned to Rural District (RD), Case # ZT-2023-006.

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
06/30/2023 02:23:57 PM NC Rev Stamp: \$0.00
Book: 4198 Page: 1984 - 1985 (2) Fee: \$26.00
Instrument Number: 2023010739

HARNETT COUNTY TAX ID #
061507 0634

06-30-2023 BY: TC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00 Parcel Number 0615070634

Mail To: SL Cox Law PC 201 Bellaris St Garner NC 27529

This instrument was prepared by: S.L. Cox Law PC

Brief description for the Index **261 Suggs Rd.**

THIS DEED made this 30th day of May 2023, by and between

GRANTOR
Grindstone Acquisitions, LLC
201 Bellaris St.
Garner, NC 27529

GRANTEE
Eldridge and Franklin Investments, LLC
7007 Scarlett Ln
Garner, NC 27529

Property is _____ is not primary residence of the grantor.

Property Conveyed:
261 Suggs Rd.
Dunn, NC 28345

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in, City Dunn, Harnett County, North Carolina and more particularly described as follows: **BEGINNING at a point in State Road #1727, which point of beginning is located in the center of the tracks of the Durham Southern Railroad line South 44 deg. 42 min. West 26.6 feet from an iron stake in the center of said railroad track and runs thence with the center line of said railroad track South 44 deg. 42 min. West 599.4 feet; thence North 18 deg. 57 min. East 653.5 feet to a point in the aforesaid State Road; thence with aforesaid State Road South 47 deg. 28 min. East to the BEGINNING, Containing 1.9 acres, more or less, and being part of the lands described in deed recorded in Book 367, Page 640, Harnett County Registry.**

The property hereinabove described was acquired by Grantor see **Book 4036, Page 98**
Submitted electronically by "SL Cox Law PC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Harnett County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

- General easements of record.
- Restrictive covenants of record.
- Ad valorem taxes now due and payable.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written


 _____ (SEAL)
 Samantha Cox, as Manager for Grindstone Acquisitions, LLC

STATE OF NC
 COUNTY OF Johnston

I, Holly L. Rau, a Notary Public of said County and state, do hereby certify that Samantha Cox, as Manager for Grindstone Acquisitions, LLC and personally appeared before me this day, and being by me duly sworn, says that he or she executed the foregoing and annexed instrument.

WITNESS my hand and notarial seal on this 30th day of June, 2023.



 NOTARY PUBLIC



My Commission Expires: 1-25-2027

Adopted this the 4th day of January 2024.

 Randy Baker,
 Mayor

ATTEST:

 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: January 4, 2024

Subject: School Zone Ordinance

Pursuant to N.C.G.S. 20-141.1 the local authority (in this case the Erwin Town Board) has the authority to adopt an ordinance to regulate the speed limit in a school zone during an established time that would be advertised by regulatory signs in the established area. We have received numerous complaints about speeding around Erwin Elementary and we have some safety concerns that we hope this will address. There are a number of children that walk to school and Erwin Elementary is also a larger school now with it being a K-5 school. Before they demolished the old school on this site Erwin Elementary was a 3-5 (grade school). Gentry was the primary school for this district (K-2). The proposed ordinance establishes a school zone on East D Street and South 10th Street during the same time period as the already established school zone on Denim Drive.

*Town Staff and the Erwin Police Department are well aware of the speeding complaints throughout the Town of Erwin. We plan on bringing up the possibility of changing the speed limits throughout the Town of Erwin but that will require substantial funding due to the need for additional signage. Town Staff hoped to have this discussion once we start planning for the budget for the next Fiscal Year. The process to change the speed limit on our town-maintained streets involves approving a text amendment to our Town Code, which requires presentation to the Planning Board for their recommendation, then we have a public hearing for any input from the public, and if the majority of the members of the Town Board vote to approve the text amendment to our Town Code we will need to install the new signs showing the speed limit.

Attachments:

- Proposed ordinance



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

**AN ORDINANCE ESTABLISHING A SCHOOL SAFETY ZONE
ON EAST D STREET AND SOUTH 10TH STREET
PURSUANT TO N.C.G.S. 20-141.1
ORD 2023-2024: 005**

WHEREAS, the Town of Erwin Mayor and Board of Commissioners realize that the safety of our children is a top priority of our residents;

WHEREAS, the Town of Erwin Mayor and Board of Commissioners are extremely appreciative of the Harnett County School System and Harnett County for funding such a great facility in the heart of the Town of Erwin;

WHEREAS, the Town of Erwin Mayor and Board of Commissioners realize that we have more kids walking to the new Erwin Elementary School

WHEREAS, the Town of Erwin wishes to establish a School Safety zone on our town-maintained streets including East D Street and South 10th Street from the following hours 7:30 until 8:30 AM and 2:30 until 3:30 PM.

WHEREAS, the Erwin Mayor and Board of Commissioners have the authority pursuant to N.C.G.S 20-141.1 to establish a school safety zone on our town-maintained streets.

WHEREAS, the proposed school safety zone will be identified by the proper signage indicating the authorized lower speed limit and the times and days that it is in place.

WHEREAS, the authorized speed limit in the school zone shall be 25 miles per hour.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Erwin, North Carolina that a school zone is established on East D Street and South 10th Street.

Duly Adopted, this the 4th day of January 2024.

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk