

**THE ERWIN BOARD OF COMMISSIONERS
DECEMBER 2021 REGULAR MEETING
THURSDAY, DECEMBER 2, 2021 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARD ROOM**

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 of Regular Workshop on October 25, 2021(**Page 2**)
 - B. Minutes of Regular Meeting on November 4, 2021 (**Page 7**)
 - C. Financial Report for October 2021 (**Page 13**)
 - D. 2022 Meeting Schedule (**Page 15**)
4. **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
5. **PRESENTATION OF DECEMBER CITIZEN OF THE MONTH**
6. **PRESENTATION OF FISCAL YEAR 2020-2021 AUDIT (Page 19)**
7. **PUBLIC HEARING**
 - A. SU-2021-006 (**Page 20**)
 - B. SU-2021-007 (**Page 40**)
8. **OLD BUSINESS**
 - A. Redistricting (**Page 66**)
 - B. Street Sweeper (**Page 69**)
9. **NEW BUSINESS**
 - A. December Workshop (**Page 80**)
10. **MANAGER'S REPORT**
11. **ATTORNEY'S REPORT**
12. **GOVERNING BODY COMMENTS**
13. **ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS**REGULAR MINUTES****DECEMBER 2, 2021****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, December 2, 2021, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Patsy Carson, Mayor Pro Tem Randy Baker, and Commissioners William Turnage, Alvester McKoy, Thurman Whitman, and Melinda Alvarado.

Board Member absent was: Commissioner Ricky Blackmon

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

Commissioner McKoy gave the invocation.

Commissioner Alvarado led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Commissioner Alvarado made a motion to approve the presented agenda and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

CONSENT

Commissioner McKoy made a motion to approve **(ITEM A)** Minutes of Regular Workshop on October 25, 2021 **(ITEM B)** Minutes of Regular Meeting on November 4, 2021 **(ITEM C)** Financial Report for October 2021 **(ITEM D)** 2022 Meeting Schedule and was seconded by Commissioner Turnage. **The Board voted unanimously.**

PUBLIC COMMENT

Jay Sills of 200 D Street in Erwin came forward and addressed the Board. He stated a pit bull attacked his dog he had on a leash in the backyard. When speaking to his neighbors, he was informed that the pitbull has been running loose for a year. He stated cats are still running around his yard and eating his dog's food. He spoke with the County and was informed they are

TOWN OF ERWIN
FINANCIAL SUMMARY REPORT
FOR MONTH OF October 2021



BANK BALANCES AS OF October 2021	
CASH MANAGEMENT	2,048,013.84
BB&T CASH IN BANK	172,228.52
FIRST FEDERAL BUSINESS MONEY MARKET	138,846.83
FIRST FEDERAL MONEY MARKET	887,154.77
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	3,214,041.76
BB&T STATE FORTIFURE	4,246.84
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	187,736.08
FIRST FEDERAL CAP. RESERVE	2,350,446.16
BB&T HEALTH RESERVE IIRA ACCT	16,087.80
PRIEBE FIELD ACCT.	11,423.44
AL WOODALL PARK IMPROVEMENTS	375,384.48
American Relief Funds	821,602.01
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS	3,774,838.74
CUMULATIVE BALANCE FOR TOWN OF ERWIN	6,988,878.60

POWELL BILL BALANCE
354,698.54

REVENUES	ANNUAL BUDGET	October 2021 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,103,888.00	92,546.00	148,588.00	13.28%
CURRENT YEAR MOTOR VEHICLE TAXES	175,470.00	15,943.00	50,138.00	28.57%
PROPR YEAR TAXES / Penalties & Interest	10,000.00	819.00	35,635.00	356.35%
UTILITIES FRANCHISE TAXES	190,000.00	0.00	41,358.00	21.77%
ENTRY FEES	19,000.00	210.00	6,215.00	32.71%
SALES & USE TAX	700,000.00	72,380.00	288,389.00	42.34%
ZONING PERMITS/APPLICATIONS	8,000.00	1,380.00	5,715.00	71.44%
REFUSE COLLECTION FEES	410,256.00	37,138.00	156,857.00	38.23%
STORM WATER COLLECTION	69,890.00	5,208.00	20,923.00	29.92%
ALL OTHER REVENUES	687,042.00	35,288.00	189,228.00	27.15%
	3,383,564.00	250,893.00	849,053.00	28.05%
EXPENDITURES	ANNUAL BUDGET	October 2021 ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	47,945.00	1,778.00	7,161.00	14.94%
ADMINISTRATION	283,399.00	19,254.00	80,116.00	30.42%
NON-DEPARTMENTAL	279,319.00	6,645.00	182,360.00	65.29%
PLANNING & INSPECTIONS	77,369.00	145.00	9,211.00	11.91%
POWELL BILL-STREETS	157,000.00	1,000.00	5,000.00	3.18%
POLICE	984,020.00	68,456.00	311,421.00	32.30%
POLICE-ARO	64,030.00	5,454.00	21,578.00	33.70%
CONTRACT SERVICES-FIRE	238,307.00	18,396.00	42,888.00	18.00%
PUBLIC WORKS-ADMIN	109,004.00	8,313.00	38,880.00	33.93%
PUBLIC WORKS-STREETS	398,884.00	27,233.00	106,078.00	26.47%
PUBLIC WORKS-SANITATION	345,343.00	4,427.00	72,907.00	21.11%
PUBLIC WORKS-STORM WATER	15,000.00	0.00	3,549.00	23.66%
RECREATION	349,119.00	28,014.00	116,000.00	33.23%
LIBRARY	69,405.00	5,511.00	22,078.00	31.81%
COMMUNITY CENTER	7,300.00	405.00	1,421.00	19.47%
	3,383,564.00	183,019.00	1,017,747.00	30.08%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		57,874.00	(66,694.00)	

Town Of Erwin
 Financial Summary Report
 YTD Comparison of October FY 2020 & FY 2021



	YTD	YTD	YTD
	Oct-21	Oct-20	DIFFERENCE
Revenues			
CURRENT YEAR LEVY OF PROPERTY TAXES	146,568.00	126,746.00	17,843.00
CURRENT YEAR MOTOR VEHICLE TAXES	50,136.00	60,890.00	(10,754.00)
PROCK YEAR TAXES / Permits & Insured	35,635.00	14,497.00	21,138.00
UTILITIES FRANCHISE TAXES	41,355.00	38,897.00	2,461.00
ENTRY FEES	8,215.00	0.00	8,215.00
SALES & USE TAX	295,399.00	289,499.00	38,900.00
ZONING PERMIT APPLICATIONS	5,715.00	4,020.00	1,695.00
FEES COLLECTIONS FEES	155,357.00	131,584.00	25,253.00
STORM WATER COLLECTION	24,923.00	19,370.00	1,593.00
ALL OTHER REVENUES	189,225.00	378,040.00	(188,814.00)
	\$ 949,053.00	\$ 1,035,563.00	(86,510.00)

	YTD	YTD	YTD
	Oct-21	Oct-20	DIFFERENCE
Expenditures			
GOVERNING BODY	7,161.00	7,587.00	(406.00)
ADMINISTRATION	60,116.00	64,314.00	(4,198.00)
NON-DEPARTMENTAL	182,360.00	147,227.00	35,133.00
PLUMBING & INSPECTORS	8,211.00	17,846.00	(9,435.00)
POWELL BALL-STREETS	5,000.00	6,000.00	0.00
POLES	311,421.00	288,840.00	52,581.00
POLICE-PRO	21,579.00	34,989.00	(13,410.00)
CONTRACT SERVICES-FIRE	42,849.00	37,262.00	5,627.00
PUBLIC WORKS-ADMIN.	36,980.00	34,708.00	2,272.00
PUBLIC WORKS-STREETS	105,076.00	81,762.00	23,333.00
PUBLIC WORKS-SANITATION	72,907.00	59,022.00	17,115.00)
PUBLIC WORKS-STORM WATER	3,649.00	1,799.00	1,788.00
RECREATION	116,000.00	81,897.00	34,103.00
LIBRARY	22,078.00	19,162.00	2,926.00
COMMUNITY CENTER	1,421.00	1,354.00	55.00
	\$ 1,817,747.00	\$ 903,211.00	114,839.00

BANK ACCOUNT BALANCES			
	YTD	YTD	YTD
	October 2021	October 2020	DIFFERENCE
CASH MANAGEMENT	2,842,013.04	1,358,552.49	1,483,460.55
BBAT CASH IN BANK	174,291.62	361,061.48	(186,769.86)
FIRST FEDERAL BUSINESS MONEY MARKET	138,648.83	138,266.81	382.02
FIRST FEDERAL MONEY MARKET	887,184.77	885,444.88	1,739.89
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,214,041.76	\$ 2,711,327.44	\$ 502,714.32
BBAT STATE FORTIFUTURE	4,748.84	2,681.32	2,067.52
BB & T CAPITAL RESERVE/PERM. ENHANCEMENT	197,796.09	171,799.81	25,996.28
FIRST FEDERAL CAP. RESERVE/GENERAL	2,350,444.78	2,245,782.84	104,661.94
BBAT HEALTH RESERVE IRA, ACCT.	19,897.83	11,311.38	8,586.45
PRESSE FIELD ACCT.	11,623.44	8,327.34	3,296.10
AL WOODBALL PARK IMPROVEMENTS	371,384.48	283,890.08	87,494.40
American Rescue Fund	831,192.01		831,192.01
Y-T-D BALANCE RESTRICTED FUNDS	\$ 3,774,936.74	\$ 2,754,777.35	\$ 1,020,159.39
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 6,988,978.06	\$ 5,806,104.79	\$ 1,182,873.27

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: 2022 Meeting Schedules

I have included the proposed meeting dates for the Town Board and Planning Board/Board of Adjustments for the year 2022. In our ordinance, it states that the Town Board meetings are on the first Thursday of the month. I have also included a list of proposed workshop meetings which would be held at 6 PM on the fourth Monday of the month. If there is nothing to present then the workshop meeting would be canceled.

The Planning Board would like to be more involved in the community and has requested that we start having joint workshop meetings. I think that these meetings are a great idea. We could schedule those sometime next year.

Attachments:

- 2022 Regularly scheduled monthly Town Board meetings
- 2022 Regularly scheduled Planning Board meetings
- 2022 Regularly scheduled Town Board Workshop meetings (if necessary)



TOWN OF ERWIN

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

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

2022 Town Board Schedule

Thursday, January 6th

Thursday, February 3rd

Thursday, March 3rd

Thursday, April 7th

Thursday, May 5th

Thursday, June 2nd

Thursday, July 7th

Thursday, August 4th

Thursday, September 1st

Thursday, October 6th

Thursday, November 3rd

Thursday, December 1st



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2022 Planning Board/Board of Adjustments Schedule

Tuesday, January 18th (Due to Holiday)

Monday, February 21st

Monday, March 21st

Monday, April 18th

Monday, May 16th

Monday, June 20th

Monday, July 18th

Monday, August 15th

Monday, September 19th

Monday, October 17th

Monday, November 21st

Monday, December 19th

*Meeting(s) may be canceled if there is nothing on the agenda



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2022 Town Board Workshop Meeting Schedule

Monday, January 24th

Monday, February 28th

Monday, March 28th

Monday, April 24th

Monday, May 23rd

Monday, June 27th

Monday, July 25th

Monday, August 22nd

Monday, September 26th

Monday, October 24th

Monday, November 28th

*Workshop meetings may be canceled if there is nothing on the agenda

MINUTES CONTINUED FROM DECEMBER 2, 2021

shorthanded. The County just got \$7,000,000 from the State and the Town pays the County \$10,000, he wanted to know why they cannot get more traps.

Randy Elliot of 719 N 16th Street came forward and addressed the Board. He expressed his concern for the company on 14th Street. He stated he is against whatever the owner has planned and the dirt in the air. He asked the Board to please help the people in Erwin and not let it happen.

PRESENTATION OF CITIZEN OF THE MONTH

Judy McLean of 307 West A Street was recognized as the December 2021 Citizen of the Month. Mayor Carson presented her with a Proclamation Plaque.

PRESENTATION OF FISCAL YEAR 2020-2021 AUDIT

R. Bryon Scott, CPA came forward and presented the Fiscal Year 2020-2021 Audit for the Town of Erwin.

A copy of the Fiscal Year 2020-2021 Audit Presentation is attached to these minutes.

Mayor Pro Tem Baker made a motion to accept the audit report as submitted and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

PUBLIC HEARING

SU-2021-006

Mayor Pro Tem Baker made a motion to open the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Town Manager Snow Bowden informed the Board that this request is to open a beauty salon as a customary home occupation at 104 West C Street. Only the people who live in the home will work in the business. Based on his conversation with the applicant, there will only be herself and one client at a time.

Mayor Patsy Carson asked if anyone would like to come forward and speak in favor of the request.



**TOWN OF ERWIN
BOARD OF COMMISSIONERS
REGULAR MEETING
THURSDAY, DECEMBER 2, 2021
7PM**

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 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*

Name	Address	Subject
1. <i>Jay Sims</i>	<i>26 W-D St</i>	<i>Pit Bull</i> <i>CATS</i>
2. <i>Randy Elliot</i>	<i>719 ST. 16 N7</i>	
3.		
4.		
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PROCLAMATION RECOGNIZING JUDY MCLEAN FOR CITIZEN OF THE MONTH

2021-2022-006

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

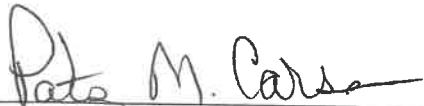
WHEREAS, the Town of Erwin Mayor and Board of Commissioners, realize that the Town of Erwin's greatest asset is viewed as the citizens that contribute tirelessly and unselfishly of themselves to aid in the well-being of the residents within the community. These citizens display characteristics and qualities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

WHEREAS, Mrs. Judy McLean of 307 West A. Street, Erwin was born in Charleston, WV to Joseph and Pauline LaCorte and was raised in Widen, WV. She married Norman McLean in 1962 and their marriage was blessed with 3 children, 4 grandchildren, 5 great-grandchildren, and one on the way; and

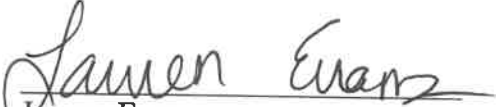
WHEREAS, Mrs. McLean moved to Erwin in 1972. She worked for Dr. Mann and Dr. Mabe until her retirement in July of 2017. She was in scouts from grade school through high school. She is currently serving in her 50th year as an adult scout, leader, and trainer for scout leaders. She has received several awards in scouting. For many years, she used her vacation to take girls camping for a week. She serves as a Director for the Erwin Area Chamber of Commerce and a member of the Erwin Recreation Advisory Board.

NOW THEREFORE BE IT RESOLVED that the Town of Erwin Mayor and Board of Commissioners give recognition and appreciation to Judy McLean for her valuable contributions to the quality of life in our community and proudly acknowledge Judy McLean as the December 2021 Citizen of the Month.

Duly Adopted, this is the 2nd day of December 2021.


Patsy M. Carson
Mayor

ATTEST:


Lauren Evans
Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: Audit Presentation

Our auditor Bryon Scott is here to present the audit on the Fiscal Year 2020-2021. It has been submitted to the LGC but has not yet been approved. We wanted to go ahead and have the presentation due to some scheduling conflicts in January 2021.

Attachments:

- Audit
- Financial Statements



Audit Presentation

Town of Erwin

Fiscal Year June 30, 2021

R. Bryon Scott, CPA

910-862-8129

bscott@tpsacpas.com



Table of Contents

Chart presentation

- General Fund Revenue Analysis
- General Fund Expenditures Analysis
- Revenue Analysis-Fiscal year June 30, 2021
- Revenue Analysis-Fiscal year June 30, 2020
- Expenditures Analysis-Fiscal year June 30, 2021
- Expenditures Analysis-Fiscal year June 30, 2020
- Cash Analysis-Five years for General & Capital Enhancement Funds
- Fund Balance Analysis-Five years for General & Capital Enhancement Funds
- Tax Collection Rate Analysis
- Property Tax Valuation Analysis

Required Auditor Communications

Communication of Internal Control Related Matters

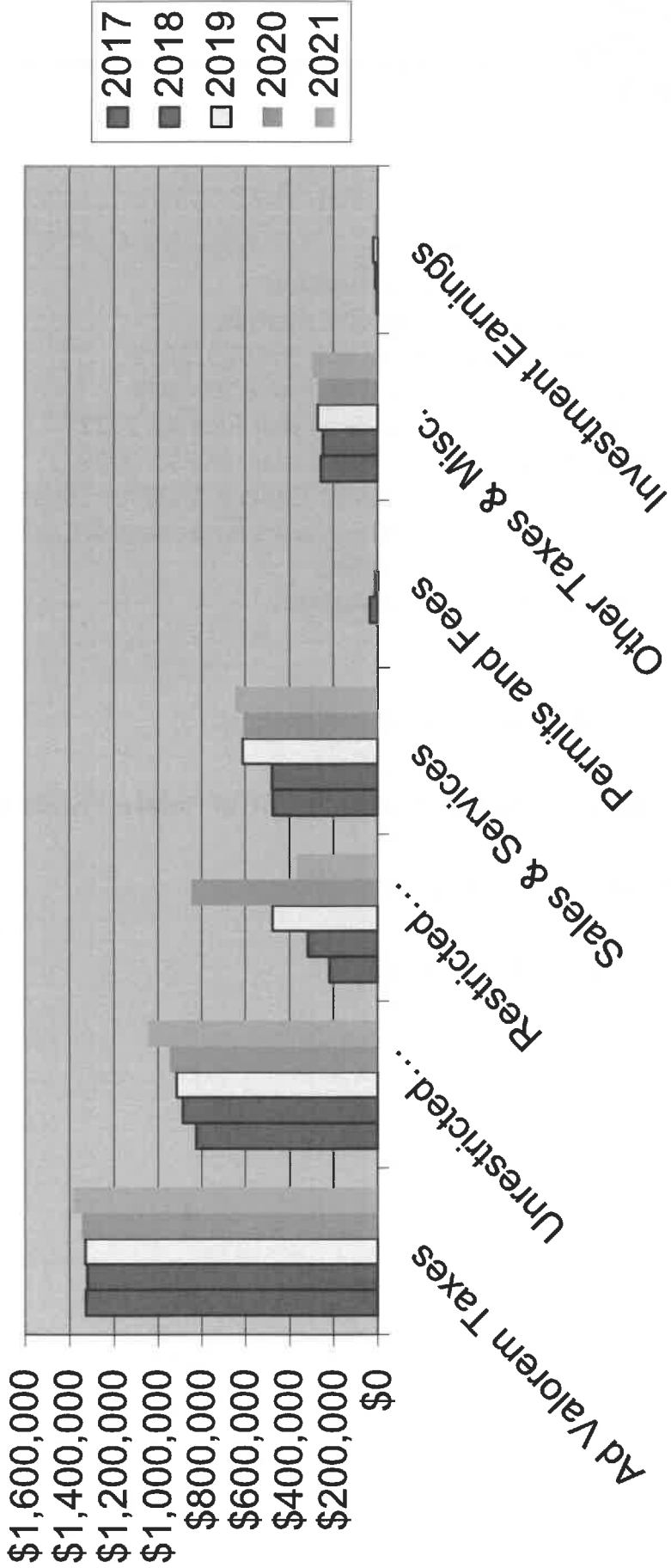
Schedule of Findings & Responses

LGC Financial Indicators



Revenue Analysis

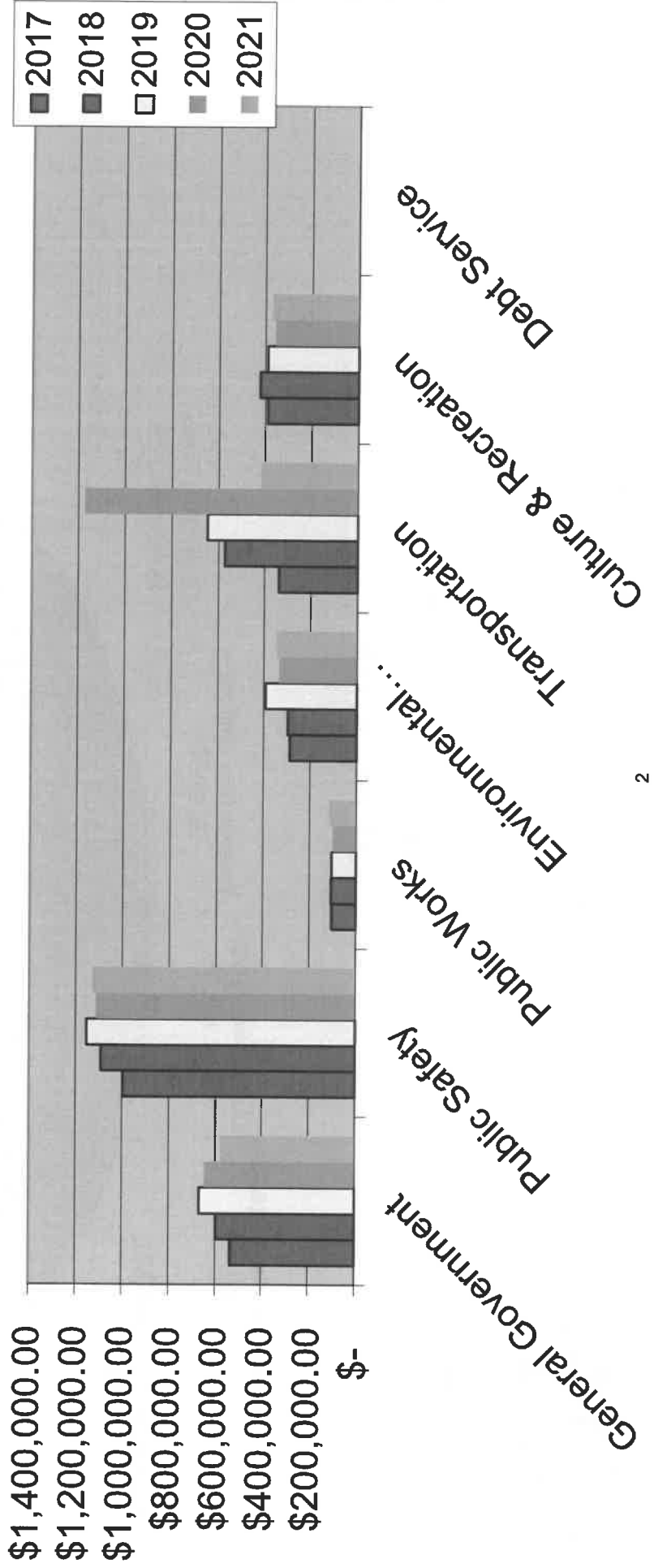
Town of Erwin
 General Fund Revenue
 5 year comparison





Expenditures Analysis

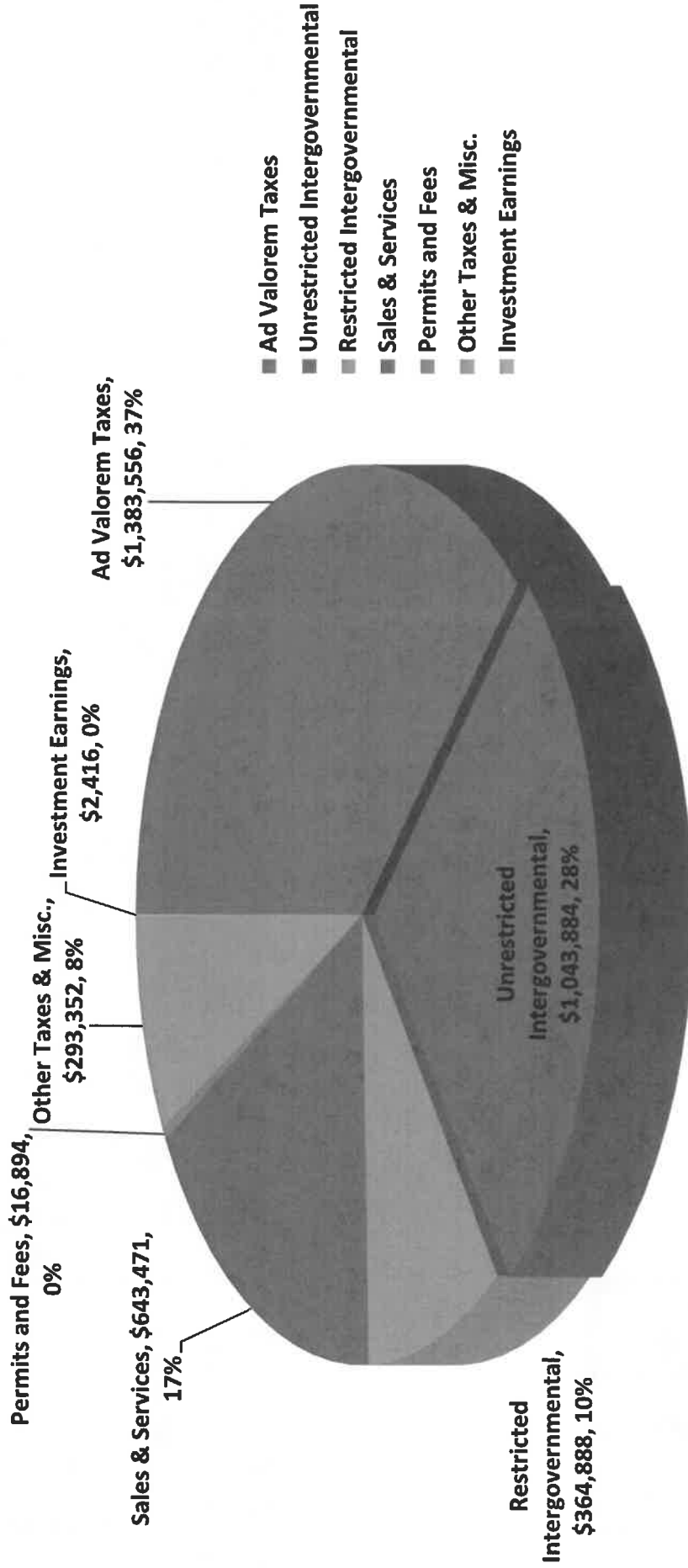
Town of Erwin General Fund Expenditures 5 year comparison





Revenue Analysis-Fiscal Year June 30, 2021

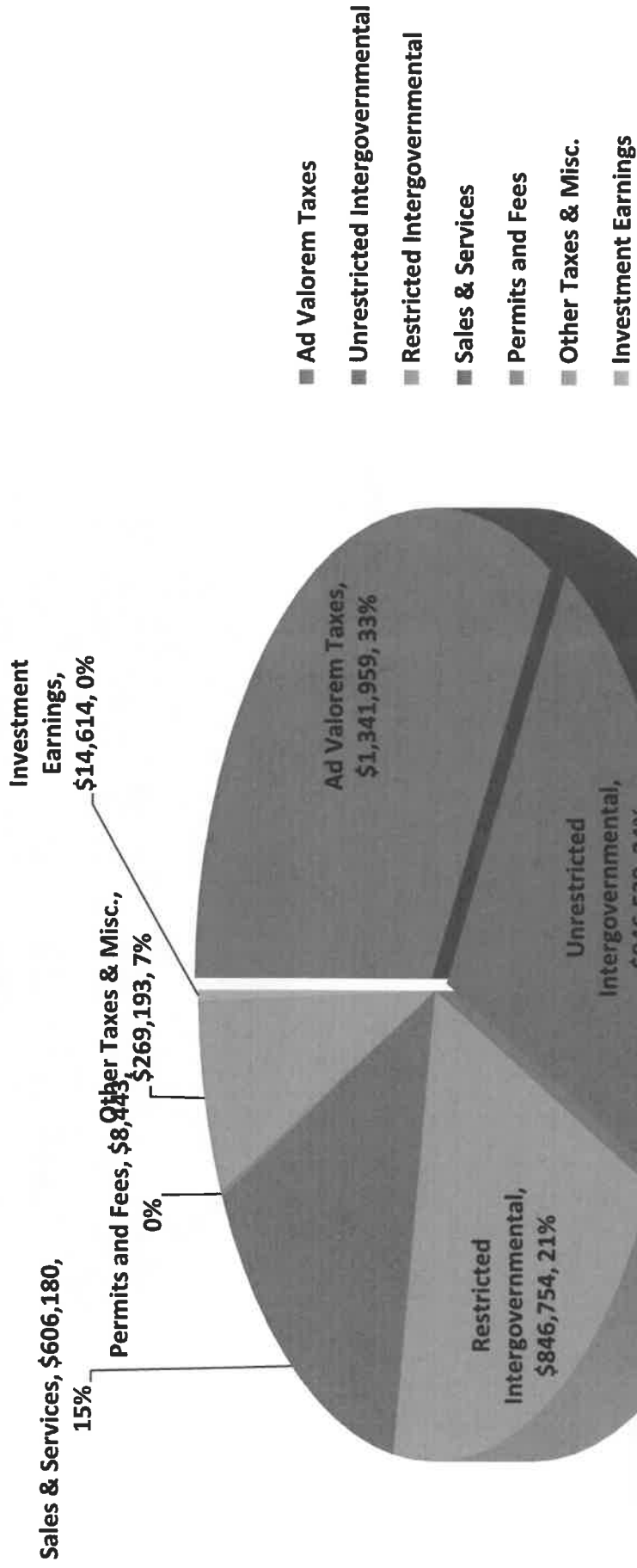
Town of Erwin 2021 Revenue





Revenue Analysis-Fiscal Year June 30, 2020

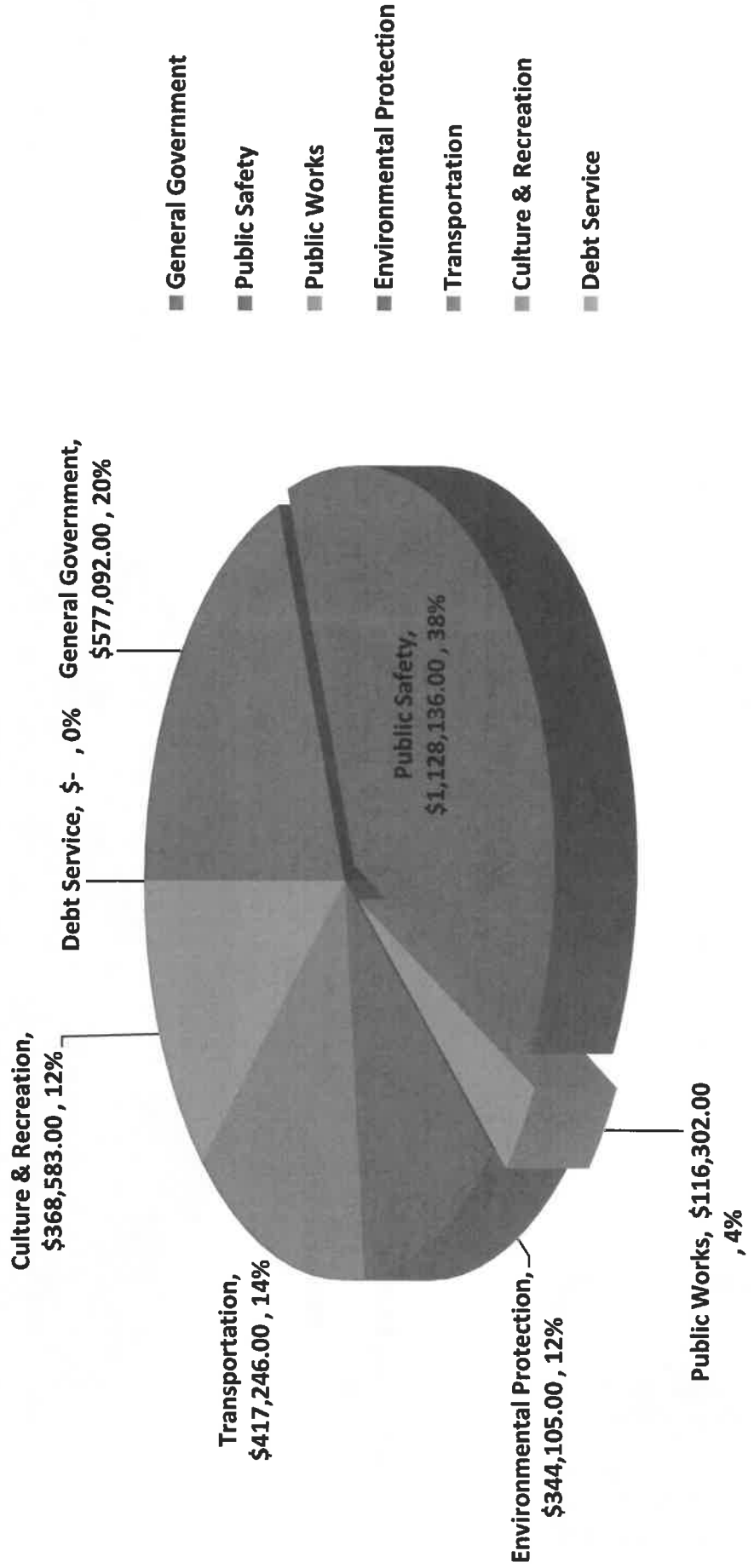
Town of Erwin 2020 Revenue





Expenditures Analysis-Fiscal Year June 30, 2021

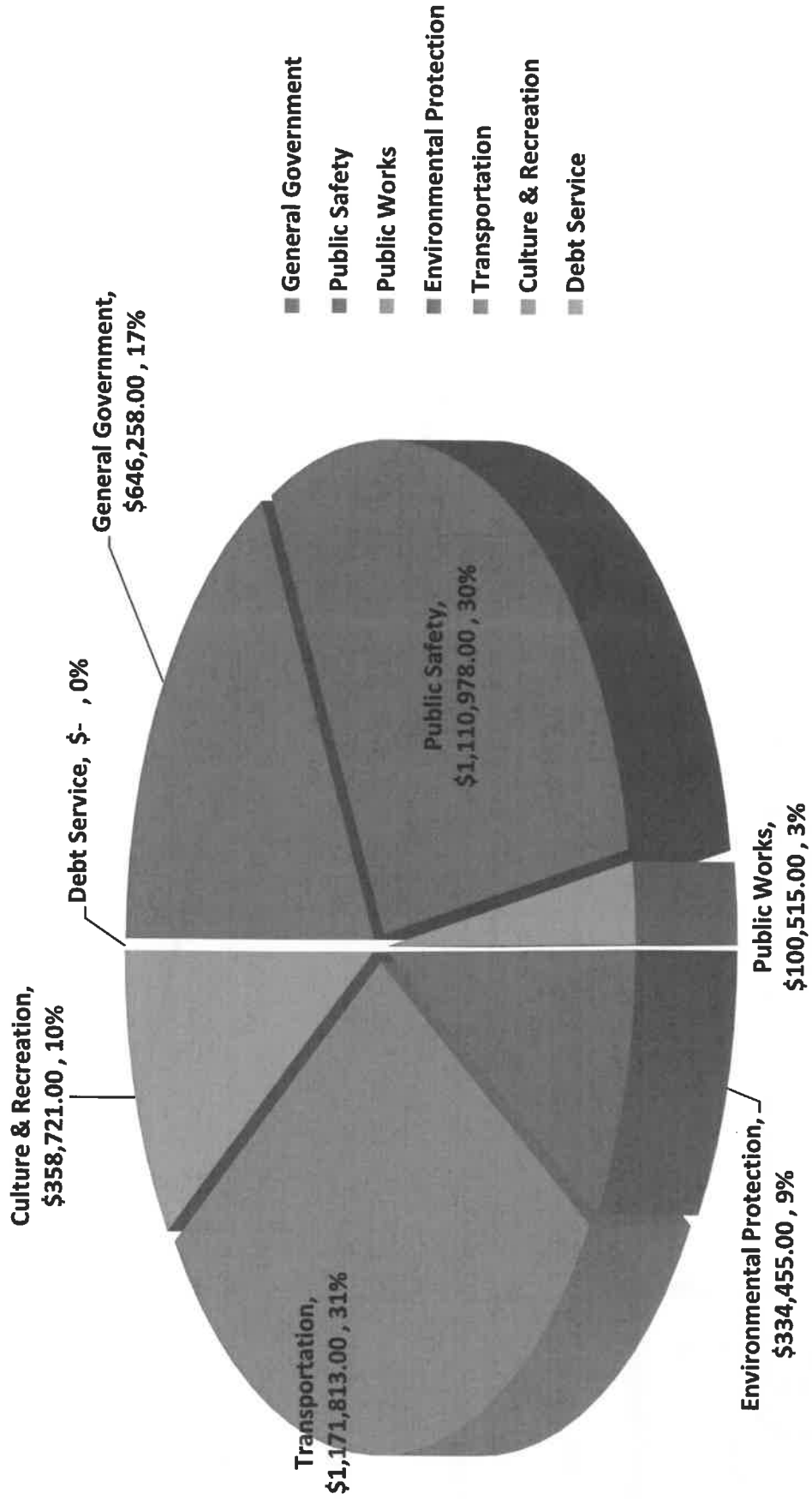
Town of Erwin 2021 Expenditures





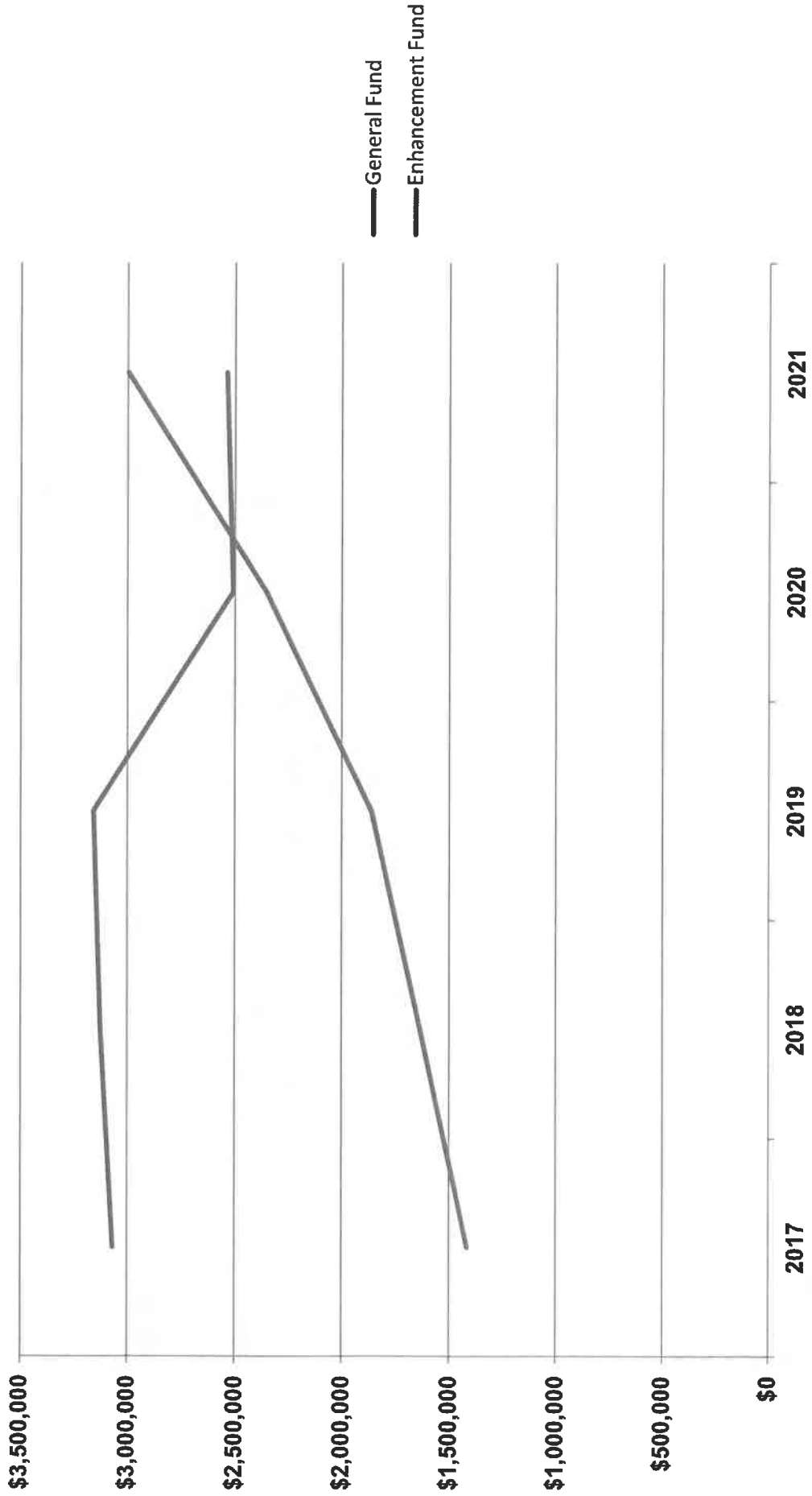
Expenditures Analysis-Fiscal Year June 30, 2020

Town of Erwin 2020 Expenditures



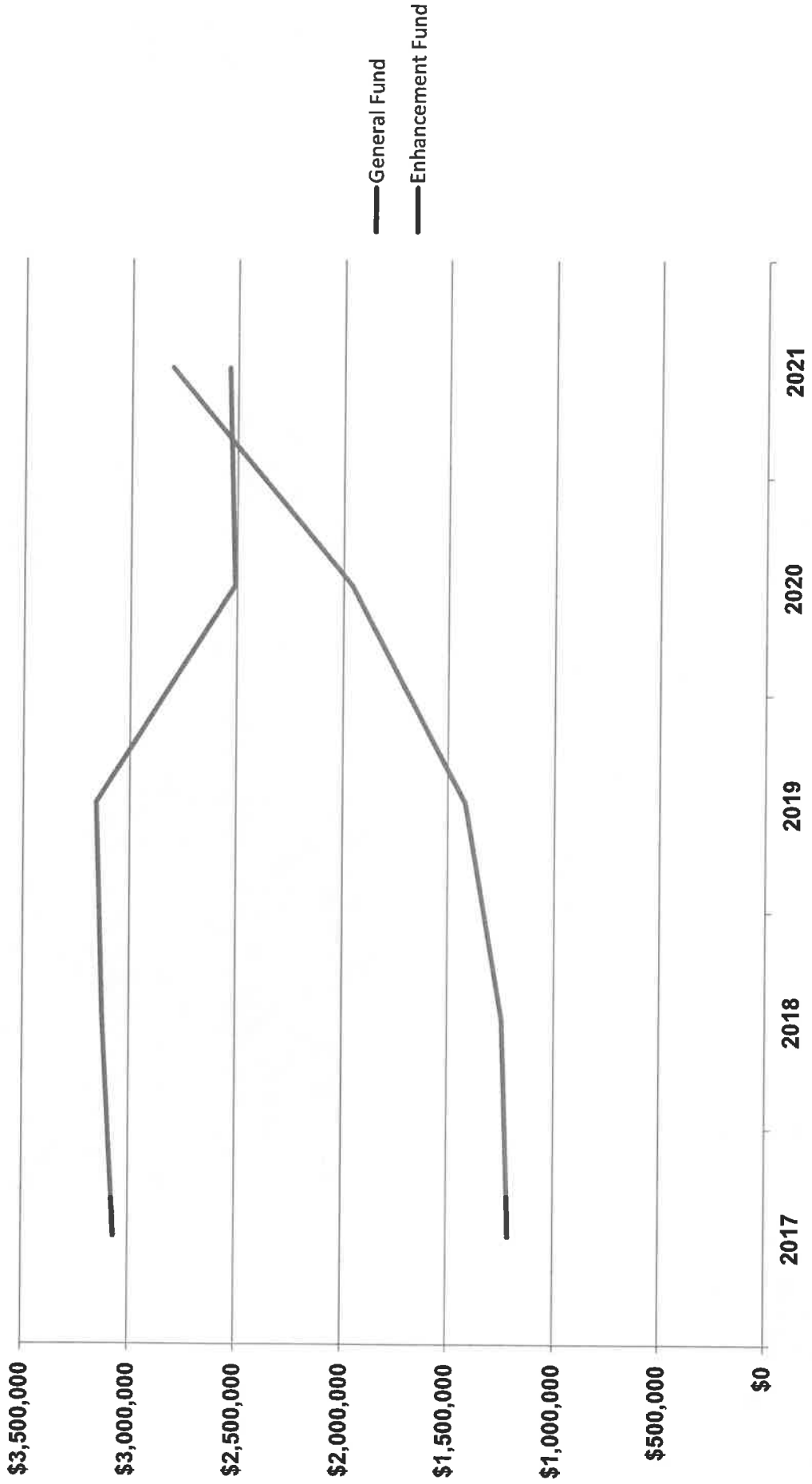


Cash Analysis-General Fund and Capital Enhancement Fund





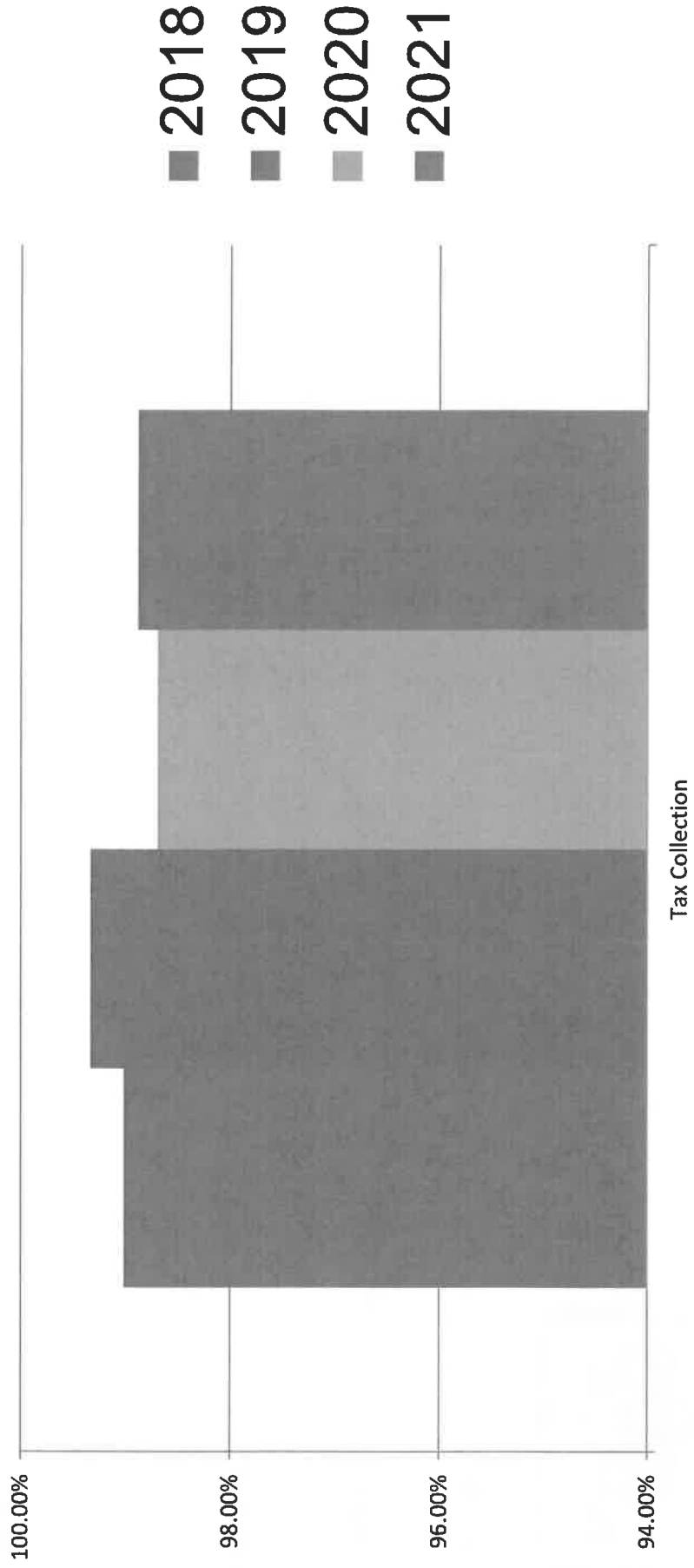
Fund Balance Analysis-General Fund and Capital Enhancement Fund





Tax Collection Rate Analysis

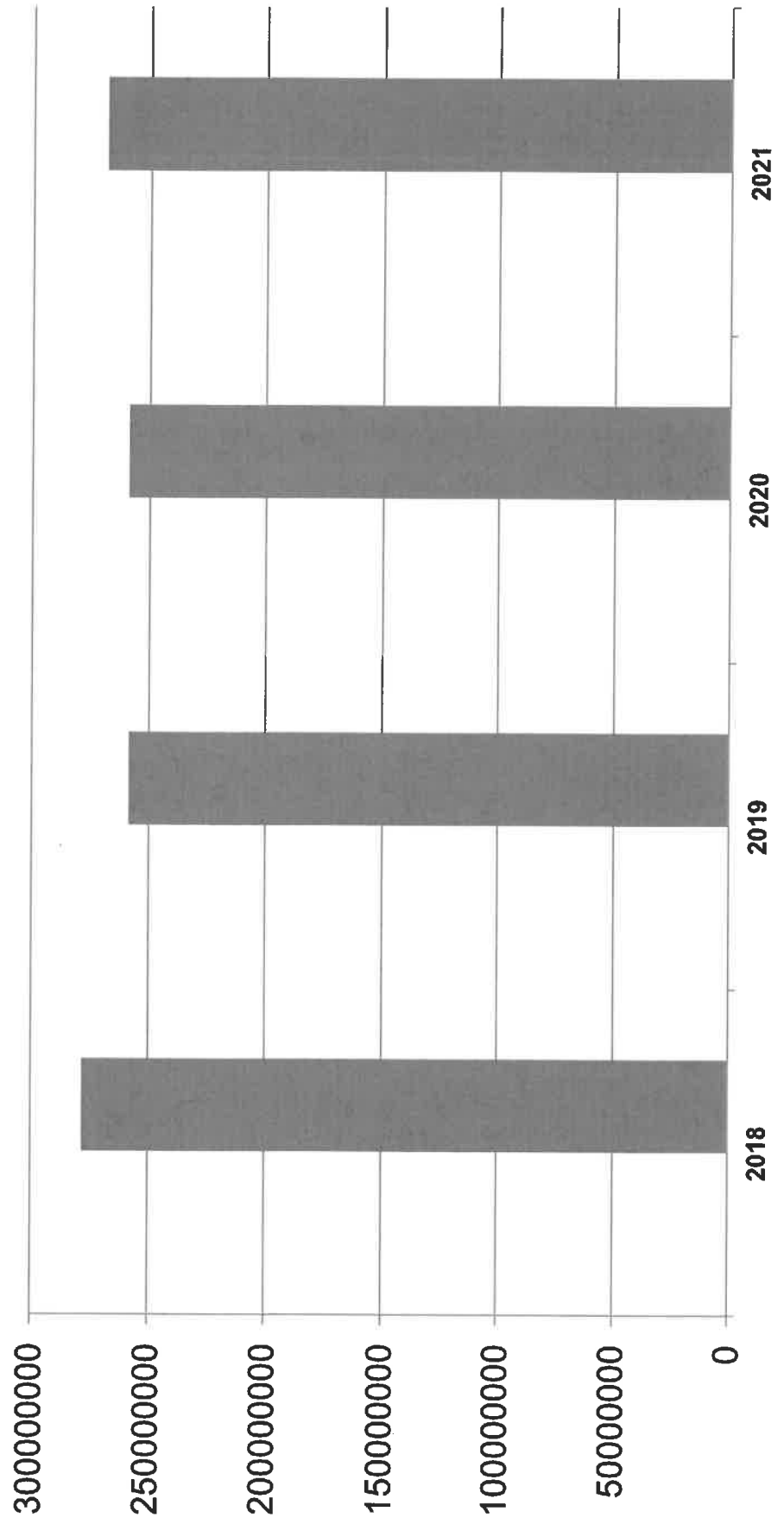
Town of Erwin Tax Collection Rate 4 year comparison





Property Tax Valuation Analysis

Town of Erwin Property Tax Valuation





Required Auditor Communications

Town of Erwin

Fiscal Year June 30, 2021



**Required Auditor
Communications**

**Communication of Internal
Control Related Matters**

Schedule of Findings & Responses



Required Auditor Communications

Area	Comments
Our Responsibility under Generally Accepted Auditing Standards	<ul style="list-style-type: none">● Express opinion on these financial statements in conformity with generally accepted accounting principles.● Plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.● Determine audit procedures based upon our risk assessment of material misstatement and evaluation of internal control.● Evaluating appropriateness of accounting policies, reasonableness of significant accounting estimates, and overall presentation of financial statements.● Communicating significant matters to management.● Accumulate all known and likely misstatements identified and communicate them to appropriate level of management.● We have no responsibility to perform procedures beyond those related to the financial statements.
Planned scope and timing of the audit	<ul style="list-style-type: none">● Perform the audit according to our letter to you dated May 1, 2021. (Copy available at your request.)



Required Auditor Communications

Area	Comments
Significant accounting policies	<ul style="list-style-type: none">● Management is responsible for selecting and implementing appropriate accounting policies.● See Note 1 to the financial statements.● No transactions entered into for which there was a lack of authoritative guidance.● Significant policies are listed in detail in the notes section. There are no unusual policies.
Adoption or change in accounting policies	<ul style="list-style-type: none">● None.
Significant accounting estimates	<ul style="list-style-type: none">● Based on management's knowledge/experience.● Significant estimates include uncollectable accounts, based on prior year write offs.● Estimates are reasonable.
Significant disclosures	<ul style="list-style-type: none">● Disclosures are neutral, consistent, and clear.
Difficulties encountered in Performing the audit	<ul style="list-style-type: none">● No significant difficulties performing the audit.
Disagreements with management	<ul style="list-style-type: none">● No such disagreements arose during the course of the audit.
Corrected/uncorrected misstatements	<ul style="list-style-type: none">● No uncorrected audit adjustments. Management reviewed and accepted responsibility for all proposed adjusting entries.



Required Auditor Communications

Area	Comments
Management representation	<ul style="list-style-type: none">● Management signed those representations on November 12, 2021. (Copy available at your request.)
Consultations with other accountants	<ul style="list-style-type: none">● None to our knowledge.
Other issues	<ul style="list-style-type: none">● Discussed application of accounting principles and auditing standards prior to retention but not as a condition to our retention.
Other findings	<ul style="list-style-type: none">● See compliance section of audit. Local Government Commission's financial indicators.



Communication of Internal Control Related Matters

Report On Internal Control Over Financial Reporting And On Compliance and Other Matters Based On An Audit Of Financial Statements Performed In Accordance With *Government Auditing Standards*

Independent Auditor's Report

To the Honorable Mayor and
Members of the Town Council
Town of Erwin, North Carolina

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the Town of Erwin, North Carolina, as of and for the year ended June 30, 2021, and related notes to the financial statements, which collectively comprises the Town of Erwin's basic financial statements, and have issued our report thereon dated November 12, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Erwin's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Erwin's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of the internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and responses that we consider to be a significant deficiency, 2021-001.



Communication of Internal Control Related Matters

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town of Erwin's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Town of Erwin's Responses to Findings

The Town's response to the findings identified in our audit is described in the accompanying schedule of findings and responses. The Town's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Thompson, Price, Scott, Adams & Co., PA

Elizabethtown, North Carolina

November 12, 2021



Schedule of Findings and Responses

Section I. Summary of Auditor's Results

Financial Statements

Type of report the auditor issued on whether the financial statements audited were prepared in accordance to GAAP: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? yes no
- Significant Deficiency(s) identified? yes none reported

Noncompliance material to financial statements noted? yes no



Schedule of Findings and Responses

Section II – Financial Statement Findings

SIGNIFICANT DEFICIENCIES

2021 – 001 Segregation of Duties

Criteria: The assignment of responsibilities should be segregated so that one person is not responsible for the authorization and recording of a transaction and the custody of the related asset. There needs to be a reconciliation or control activity to provide reasonable assurance that transactions are handled appropriately.

Condition: Key duties and functions are not segregated amount Town personnel. This is especially a concern in cash management, accounts receivable, purchasing, and payroll functions in all departments.

Effect: Transactions could be mishandled, due to errors or fraud that could lead to loss of assets or the reporting of misleading financial information.

Cause: There are a limited number of personnel for certain functions and lack of board oversight.

Identification of a repeat finding: This is a repeat finding from the immediate previous audit, 2020-001.

Recommendation: The duties should be separated as much as possible, by possibly training and utilizing non-financial personnel and utilizing alternative controls. The governing board should provide some of these controls.

Views of responsible officials and planned corrective actions: The Town agrees with this finding and will adhere to the correction action plan on page in this audit report.



Schedule of Findings and Responses

Section II – Financial Statement Findings

SIGNIFICANT DEFICIENCIES

2021– 001 Segregation of Duties

Name of contact person: Patsy M. Carson, Mayor

Corrective Action: Duties and functions will be reviewed to determine where segregation needs to occur. The duties will be separated as much as possible and alternative controls will be implemented to compensate for lack of segregation. Nonfinancial employees will be trained and provide some assistance. The Town will work with an outside consultant as an alternative procedure to compensate for lack of segregation.

Proposed Completion Date: The Board will implement the above procedure immediately.

PERFORMANCE INDICATORS OF CONCERN

The self-reported information from your unit's audit report was used to generate the following trends and performance indicators. We have created this Performance Indicator Tab to make these indicators available to auditors and local governments when your audit is conducted. If any unit's results are shaded red then the unit must submit a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" within 60 days from the auditor's board presentation. The response must address all performance indicators shaded in red.

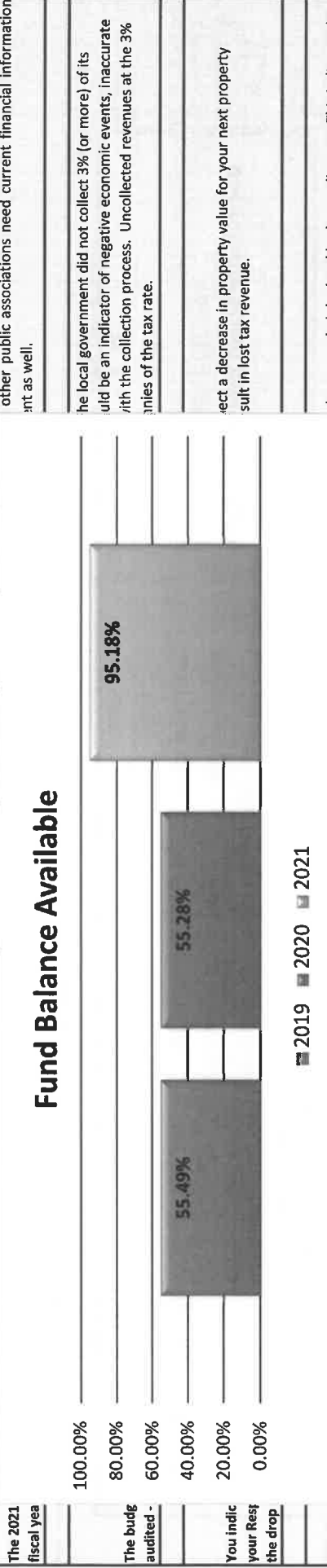
Performance Indicator Worksheet

Unit Name:	Erwin	Fiscal Year 2021	Explanation of Performance Indicator
Unit Number:	50126		
<p>In the past, units of government have been grouped by population to evaluate various expenditure which is for, units of purposes of evaluating each grouping while your GF FBA% might be asked to municipalities and</p>			
<p>Local governments used for it indicates the units of your size of expenditures. tures to increase balance (if of total expenditures plus transfers out less bond proceeds.</p>			
Municipalities			
General Fund Expenditures below:	Median FBA as % of Expenditures without Powell Bill	Minimum Thresholds FBA as % of Expenditures	# of Months FBA using Annualized Expenditures
\$100,000	260%	100%	12.00
\$100,000 to \$999,999	132%	71%	8.52
\$1,000,000 to \$9,999,999	63%	34%	4.08
Above \$10,000,000	46%	25%	3.00
Counties			
General Fund Expenditures below:	Median FBA as % of Expenditures without Powell Bill	Minimum Thresholds FBA as % of Expenditures	# of Months FBA using Annualized Expenditures
Below \$100,000,000	39%	20%	2.40
\$100,000,000 and above	32%	16%	1.92

Unit Name:	Erwin	Fiscal Year 2021	Explanation of Performance Indicator
Unit Number:	50126		

GENERAL PERFORMANCE INDICATORS:

	2021	Target
The 2021 fiscal year		5 months plus



Does the entity have an effective pre-audit process to ensure that pervasive budgetary over-expenditures do not occur at the budget ordinance level?

Yes 2021 No 2021

The local government had a mandate placed on them by DEQ, a court order or some similar requirement (that has no realistic appeal path) that the financial effect will be greater than 3% of the WS Budget and is not yet budgeted.

No 2021 Yes 2021

If a unit has no performance indicators of concern that would require them to submit a Response to Audit Findings, Recommendations and Fiscal Matters, but they are currently on the Unit Assistance List, they must still submit a Response to Audit Findings, Recommendations and Fiscal Matters. Their response should discuss the financial plan they have developed to address the issues that placed them on the Unit Assistance List and the progress they have made to date.

Yes 2021 No 2021

The Unit had Statutory Violations listed in the Audit Report that should be addressed in the Unit Response Letter

No 2021 Yes 2021

As stewards of the public's resources, the governing body is responsible for ensuring that the audited financial statements are available to the public in a timely manner. External groups such as the North Carolina General Assembly, federal and State agencies other public associations need current financial information as well.

The local government did not collect 3% (or more) of its utility revenues. This could be an indicator of negative economic events; inaccurate utility rates; or other factors that affect the collection process. Uncollected revenues at the 3% level could result in a decrease in property value for your next property tax bill.

The local government has indicated there is substantial unbudgeted costs that could significantly impact their operations and/or customer rates.

The unit's purchase order system, contract approval process and / or payment process is not in compliance with North Carolina General Statute 159.

As of the creation of this worksheet your unit was on the Unit Assistance List. Please provide details of what progress you have made to date to improve the issues that placed you on the list and future progress you intend to make. If you are unaware that you are on the Unit Assistance List please email LGCMonitoring@nctreasurer.com and request a copy of the letter notifying you of your status on the Unit Assistance List.

This indicator lists whether the unit has a statutory violation.

Performance Indicator Worksheet

Unit Name: Erwin		Fiscal Year 2021		Explanation of Performance Indicator
Unit Number: 50126		2021	Target	
GENERAL PERFORMANCE INDICATORS:				
The unit had problems with debt service payments being late and/or did not comply with the bond covenants?		No	No	This indicator lists whether or not the unit has issues with debt service payments or bond covenants.
You have indicated that you have a landfill that will be closing or have a significant portion closing within the next 5 years and will have the closure/postclosure cost fully funded by the date of closure.		2021	Target	This indicator tells if you have a landfill that is estimated to close within 5 years but the unit may not have enough funds for the closure/post closure costs.
The unit must address the material and/or significant findings or any other findings that the auditor reported to them.		N/A	N/A	
Electric Transfers-out have exceeded the amounts described in GS 159B-39. If your unit is a member of the North Carolina Eastern Municipal Power Agency it appears you have violated the GS. If you are not a member of the Eastern Municipal Power Agency we would like to understand what you are funding with the transfers-out and do you plan to continue this practice.		2021	Target	This indicator states whether or not your auditor has identified material and/or significant findings or any other findings for your unit.
In addition to the any significant and material findings the Auditor can describe any additional issues the unit should address that affect the fiscal health or internal controls of the unit that were communicated to the unit during the Audit Presentation.		1	Target	This indicator shows if there were transfer out of the Electric Fund. This only applies to units that are subject to GS 159B-39 : Apex, Ayden, Belhaven, Benson, Clayton, Edenton, Elizabeth City, Farmville, Fremont, Greenville, Hamilton, Hertford, Hobgood, Hookerton, Kingston, LaGrange, Laurinburg, Louisburg, Lumberton, New Bern, Pikeville, Red Springs, Robersonville, Rocky Mount, Scotland Neck, Selma, Smithfield, Southport, Tarboro, Wake Forest, Washington, and Wilson.
		#N/A	#N/A	
		2021	Target	This indicator lists any other issues that the unit should address.
		0	0	

MINUTES CONTINUED FROM DECEMBER 2, 2021

Applicant Erika Morales came forward with a translator and was sworn in by Town Clerk Lauren Evans.

Ms. Morales addressed the Board and informed them that she is requesting a Special Use so that she can work in her home. After the pandemic, her work decreased. She does not want to close down her salon in Dunn after 10 years but the rent has gone up. She had spoken to the State Board who approved of her home occupation, she just needs the approval of the Town Board. She wanted to be able to take care of her faithful customers and she planned to use her saving to have a tree cut down to allow for parking of her cars and her client's car within her property.

Mayor Pro Tem Baker asked what services she will be providing and if the services will be provided in a room that already exists in the home.

Ms. Morales will be performing haircuts and facials in a room that exists but is being divided from the rest of the home.

Mayor Pro Tem Baker asked if there were any additions to the plumbing to meet the standards of the State Board.

Ms. Morales will be adding a restroom to the home.

Mayor Pro Tem Baker verified that the clients will be scheduled by appointment, one client at a time and that Ms. Morales will be the only person performing the proposed services.

Ms. Morales confirmed those statements are correct.

Commissioner Turnage stated he admired Ms. Morales for continuing her business despite all the hardships she has faced in the Pandemic.

Commissioner Alvarado asked what the height will be of the proposed fences.

Town Manager Snow Bowden stated they will be 4 feet in the front and 6 feet on the sides.

Mayor Patsy Carson asked if anyone would like to come forward and speak against the request.

Tristen Overbee of 106 W C Street came forward and was sworn in by Town Clerk Lauren Evans.

MINUTES CONTINUED FROM DECEMBER 2, 2021

Mr. Overbee stated that he came to the meeting in the interest of his landlord, Sue Wood, who had two concerns; the parking and the property being so close together, which were both addressed in Ms. Morales' statement.

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

Mayor Pro Tem Baker made a motion in the affirmative that the use requested is listed among the special uses in the district for which the application is made. Customary home occupations are allowed as a special use in the Residential Mill Village Zoning District. The customary home occupation is required to take place inside of the home and not in an accessory building and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Commissioner Alvarado made a motion in the affirmative that the requested use is essential or desirable to the public convenience or welfare. The applicant is requesting a special use permit to open a customary home occupation inside her home. She provides a needed service to the area and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner Turnage made a motion in the affirmative that the requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. This is an existing home. The home occupation will be inside the home and there will not impact the district and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner McKoy made a motion in the affirmative that the requested use will be in conformity with the Land Development Plan. This area of land would be in the area identified for medium-intensity growth. The plan calls for medium to high density mixed residential uses. The classification also includes low-impact neighborhood businesses and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. This is an existing single-family dwelling. She is expanding the side of the house but for the home

MINUTES CONTINUED FROM DECEMBER 2, 2021

occupation. The addition to the home will follow all zoning guidelines and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Commissioner McKoy made a motion in the affirmative that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. This is an existing single-family dwelling. All of her clients will park in her existing driveway and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner Alvarado made a motion in the affirmative that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners. If this special use permit is granted the applicant will need to follow all of the guidelines for a customary home occupation in our Code of Ordinances and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to recommend that the proposed Special Use Application meets all the Findings of Fact in the Affirmative; that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; and to approve SU-2021-006 Special Use Application to open a beauty salon inside their home as a customary home occupation located at 104 West C Street. (HC Tax PIN #0597-62-4740.000) and was seconded by Commissioner Turnage. **The Board voted unanimously.**

SU-2021-007

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

Town Manager Snow Bowden informed the Board that this request is to build four townhomes on a vacant parcel at the corner of Maye Street and Jenkins Street. It would be two buildings but four townhomes. With a townhome, you own the building and the dirt underneath it. In the packet, he included the flood plain, the blue line stream, and the drainage easement. The applicant was present to answer any questions the Board may have.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: SU-2021-006

The town has received a special use permit application to open a beauty salon as a customary home occupation at 104 West C Street. The property owner is aware of the requirements to operate a beauty salon as a customary home occupation. Her clients will be parking in her driveway.

Attachments:

- SU-2021-006 Application
- SU-2021-006 Staff Report
- Harnett County GIS image with zoning
- Harnett County GIS image with no zoning
- Information about a customary home occupation from our Ordinance
- Property owners notified

Suggested Motions:

For legal purposes, Staff recommends that 3 separate recommendations be made:

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)
2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).

3. I move to recommend:
- a. Approval of SU-2021-006 Special Use Application to open a beauty salon inside their home as a customary home occupation located at 104 West C Street. (HC Tax PIN #0597-62-4740.000)
 - b. Denial of SU-2021-006 Special Use Application to open a beauty salon inside their home as a customary home occupation located at 104 West C Street. (HC Tax PIN #0597-62-4740.000)
 - c. Approval of SU-2021-006 Special Use Application to open a beauty salon inside their home as a customary home occupation located at 104 West C Street. (HC Tax PIN #0597-62-4740.000) with additional conditions (state conditions).



TOWN OF ERWIN
 100 West F St., Post Office Box 459
 Erwin, NC 28339
 (910) 897-5140 V (910) 897-5543 F
 www.erwin-nc.org

SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	ERIKA G. MARALES LOPEZ	Property Owner Name	ERIKA G. MARALES LOPEZ
Mailing Address	104 W. C. ST	Mailing Address	
City, State, Zip	Erwin, NC, 28339	City, State, Zip	
Telephone	910 658 7846	Telephone	919-408-2916
Email	maraleslopez977@gmail.com	Email	
Address of Subject Property	104 West C St.		
Parcel Identification Number(s) (PIN) of Subject Property	0597-62-4740 .000		
Legal Relationship of Applicant to Owner	Owner	Floodplain SFHA	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Legal Description: Lot	401	Block	2
Subdivision	Erwin Mills		
Zoning District	RMU	Wetlands	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Watershed Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Public Water Available:	Y or N <input checked="" type="checkbox"/>	Public Sewer Available:	Y or N <input checked="" type="checkbox"/>
Existing Septic Tank:	Y or N <input checked="" type="checkbox"/>		
Number of Buildings to Remain	2	Gross Floor Area to Remain	1,424
Describe Proposed Project or Request with Conditions proposed by applicant.			
Custom Home Occupation - health 5915 <div style="text-align: right; font-size: 2em; font-weight: bold;">PAID</div> <div style="text-align: right;">OCT 25 2021</div>			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

TOWN OF ERWIN (2)

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Date Application Submitted 10/25/2021 Office Use Only Application Fee \$ 300 Received By MJ

Case # SU-2021 -006

PAY TO THE ORDER OF
(BANKING & TRUST)



TOWN OF ERWIN

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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance 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 Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9-411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 2521 - 02

Signature Page

Page 1 of 2

Revocation: In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

Expiration: In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

Duration: Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date: Eqm 10/21/21

** see attached*



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SPECIAL USE APPLICATION
Record of Adjacent Property Owners
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____

SU-2021 - 1126

★ see staff report

**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

Yes No _____

2. The requested use is essential or desirable to the public convenience or welfare

Yes No _____

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

Yes No _____

4. The requested use will be in conformity with the Land Development Plan

Yes No _____

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

Yes No _____

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

Yes No _____

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

Yes No _____

SU-201-036

Finding of Facts

1



TOWN OF ERWIN

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SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
 - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
 - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
 2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
 3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



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IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance



TOWN OF ERWIN

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Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin
Record and Decisions**

Office Use Only
 Notice Mailed 11/10/2021 Property Posted 11/10/2021 Newspaper Advertised Date 11/16,23/2021

Public Hearing Date and Comments: _____

<u>Governing Body Motion</u>	. Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____

Erika's New Style

10/25/2021

104 W C ST Erwin, NC 28339

Dear Recipient:

I want to present this Letter of Intent to the City of Erwin committee board and the community to signify my interest in opening my beauty salon within my residency.

My small business, Erika New Style, started back in 2010 at Denim Dr in Erwin after graduating from Cosmetology school. I am the sole stylist in my salon, and my services consist of professional hair cutting, hair styling, and facials by appointment only.

In the past two years, due to the national pandemic, my business has struggled. Rent at my current location has increased, and I am down to a handful of loyal clients. I know that my time for renting a location has come to an end; however, my love for my profession has not changed. I desire to continue to be self-employed and open my salon at home for friends and family. My salon would continue to be by appointment only, and I would have about a customer or two a day. Another benefit to having my own business at home would be having more time for my three-year-old.

I appreciate your time for reading my letter.

Sincerely,

Erika B. Morales Lopez



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-006

Snow Bowden, Town Manager
townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Public Hearing Date: Thursday, December 2nd, 2021

Requested special use permit to operate a customary home occupation (beauty salon) at 104 West C Street. The property can also be identified by its Harnett County Tax PIN #0597-62-4740.000.

Applicant Information

Owner of Record:

Name: Erika Morales Lopez

Address: 104 West C Street

City/State/Zip: Erwin, NC 28339

Applicant:

Name: Erika Morales Lopez

Address: 104 West C Street

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-62-4740

Acres .25

Zoning District- Residential Mill Village Zoning District (RMV)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is an existing single family dwelling that was built in 1925. The house is 1,424 square feet based on data from Harnett County GIS.

Surrounding Land Uses: This building is mostly surrounded by residential uses. Across the street is the Erwin Church of God. The Erwin Church of God has a large parking lot on the interior of their campus. They also have parking directly across the street from this structure.

Services Available

- Electricity (Duke Energy)
 - Telephone (Centurylink)
 - Harnett Regional Water and Sewer
-
-

Zoning District Compatibility

Special Use	RMV
Customary Home Occupation	X

Staff Evaluation

Staff Evaluation

Yes No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Customary home occupations are allowed as a special use in the Residential Mill Village Zoning District. The customary home occupation is required to take place inside of the home and not in an accessory building.

Yes No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** The applicant is requesting a special use permit to open a customary home occupation inside her home. She provides a needed service to area.

Yes No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This is an existing home. The home occupation will be inside the home and there will not impact the district.

Yes No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This area of land would be in the area identified for medium intensity growth. The plan calls for medium to high density mixed residential uses. The classification also includes low impact neighborhood businesses.

Yes No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** This is an existing single family dwelling. She is expanding the side of the house but for the home occupation. The addition to the home will follow all zoning guidelines.

Yes No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** This is an existing single family dwelling. All of her clients will park in her existing drive-way.

Yes No

That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- **Reasoning:** If this special use permit is granted the applicant will need to follow all of the guidelines for a customary home occupation in our Code of Ordinances (attached)


Attachments:

- SU-2021-006 Application
- SU-2021-006 Staff Report
- SU-2021-006 Site Plan
- SU-2021-006 Harnett County GIS Image with Zoning
- SU-2021-006 Harnett County GIS Image with no Zoning
- SU-2021-006 property owners notified
- Customary home occupation information

Harnett GIS



NOT FOR LEGAL USE .



Harnett
COUNTY
NORTH CAROLINA

GIS/E-911 Addressing
November 8, 2021

Surrounding County Boundaries

Federal Property

City Limits

Harnett County Boundary

Address Numbers

Airport

MajorRoads

Interstate

NC

US

Roads

Mile_Markers

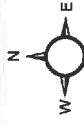

Interstate

NC

US

Railroad

Parcels





1 inch = 188 feet

Harnett GIS








NOT FOR LEGAL USE .









Harnett
COUNTY
NORTH CAROLINA



GIS/E-911 Addressing
November 8, 2021

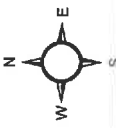

Surrounding County Boundaries  Airport 

Federal Property  Major Roads  Interstate 

City Limits  Harnett County Boundary  Mile_Markers 

Address Numbers  Harnett County Boundary  Mile_Markers 

Railroad  Parcels 

1 inch = 188 feet

Customary home occupation means any profession or occupation carried on by a member of a family provided that the occupational use is clearly incidental and secondary to the use of the building for residential purposes and does not change the character thereof, and that not over 25 percent of the total actual floor area of any structure is used for home occupations or professional purposes. (See article XV of this chapter for additional requirements.)

The following regulations apply to customary home occupations:

- (1)Such business shall not change the character of the dwelling.
- (2)Such business may not use any portion of an accessory building/structure.
- (3)Employees are restricted to family members that reside at the home.
- (4)No outside storage associated with the home occupation is permitted.
- (5)No more than 25 percent of the home shall be used in connection with the home occupation.
- (6)No display or advertising is permitted.
- (7)No off-street parking will be permitted in connection with the home occupation.
- (8)Animal care services, which may include pet trimming and washing, are expressly prohibited as home occupations.
- 9)Activities engaging in the business of conducting a barbershop, beauty salon or parlor, or other cosmetology services as approved by the governing board.

Property owner's notified

- Erika Morales Lopez 104 West C Street Erwin, NC 28339
- Kevin James Edwards and Robbie Edwards 102 West C Street Erwin, NC 28339
- Casile Real Estate 402 Carolyn Drive Benson, NC 27504
- Paden Christopher Poston 90 Frontier Court Lillington, NC 27546
- Derek Ivey 107 West D Street Erwin, NC 28339
- Sue Wood 3827 Canterury Road Wilmington, NC 28403
- Elmore Investment Company 255 Salt Market Street Dunn NC 28334
- Eric Marshall Dziedzic and Gary Thomas Dziedzic 308 West B Street Erwin, NC 28339
- Marshall Miller 1020 Long Beeches Avenue Chesapeake VA 23320
- Erwin Church of God 109 West C Street Erwin, NC 28339

MINUTES CONTINUED FROM DECEMBER 2, 2021

Mayor Patsy Carson asked if anyone would like to come forward and speak in favor of the request.

Applicant, Myvo, and Natalie Turner came forward and were both sworn in by Town Clerk Lauren Evans.

Mayor Pro Tem Baker asked why the applicant chose this location and why did he decide he would like to build townhomes on this property.

Myvo stated Erwin has grown a lot and he wants to make the townhomes nice for the Town. He wants to have the townhomes for rent with the option to buy in the future.

Mayor Pro Tem Baker stated looking at the drawing that was submitted, he would like to know if the lots will be subdivided and if that is the plan, will the property lines go all the way to the road?

Myvo confirmed that is his intent.

Mayor Pro Tem Baker asked the staff if structures within this zoning strict would be permissible under our Zoning Ordinances and dimension requirements.

Town Manager Snow Bowden stated they would need a variance for the minimum lot size and the size setbacks to the townhome development.

Mayor Pro Tem Baker expressed his concern about the impact of this dense development on this lot. Even though it is not in the flood plain, it historically floods. He stated he is not sure that putting townhomes on this property would not be over-developing the area. He would like more information from an environmental standpoint. He stated that we need to have our Town Engineer Bill Dreitzler look at the lot and he recommended the applicant to have an engineer of his own engineer look over the lot as well. His only other concern was the harmony of this area with it being predominately single-family dwellings. He stated he is open to information.

Myvo stated when the land was purchased, he noticed the dips in the land but the area of the lot he is wanting to build on is a solid foundation. If he needs to prevent a flood, he can include crawl space under the home to raise it higher. He stated he will hire an engineer to prove to the Town that the structure will be solid.

MINUTES CONTINUED FROM DECEMBER 2, 2021

Mayor Pro Tem Baker inquired whether there will be four separate driveways.

Town Manager Snow Bowden stated the applicant will need a 21-foot variance to the minimum lot width. He will do some research by the next Board meeting but the way our Ordinance is worded for townhomes, the variance does not have to meet to necessary hardship requirements.

Mayor Pro Tem Baker stated he does not feel he has the necessary information to make a decision on the request.

Commissioner Turnage stated he agrees and thinks Town Engineer Bill Dreitzler is involved before a decision is made.

Mayor Patsy Carson asked if anyone would like to come forward and speak against the request.

JD Hartman came forward and was sworn in by Town Clerk Lauren Evans.

Mr. JD Hartman stated he recently purchased the home across the street from the proposed request, located at 210 Jenkins Street. It is a nice, quiet neighborhood and he did not want to see multifamily homes being built considering that the area is a current single-family dwelling. He expressed his concern about the increase in traffic coming through his neighborhood.

Jeremy Hartman came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Jeremy Hartman stated his property is located at 207 Prince Street which is on the ditch. Even with the improvements, the Town has made near his home, he has still had flooding in his yard at least ten times. He worries for his home when a bad storm comes through.

Town Erwin Manager stated his road will be the first ditch in the next phase of the East Erwin Project.

Mr. Jeremy Hartman stated his main concern is the flooding is still bad even though it is not as bad as it was.

Mayor Pro Tem Baker asked Mr. Jeremy Hartman if the request was approved as submitted, would it have a negative effort on him?

MINUTES CONTINUED FROM DECEMBER 2, 2021

Mr. Jeremy Hartman stated it may. He felt it is hard to know for sure until he sees a report from an engineer. The proposed location is an area that soaks the water and there's a turn at the property. If the water gets backed up, it will flow between his home and his neighbor's home, and his yard will be underwater. He wanted to be shown proof from an engineer that it will not cause an effect on him and his home.

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

Mayor Pro Tem Baker asked staff, given the size of that property, are there were any other potential residential uses without granting a Special Use Permit.

Town Manager Snow Bowden stated the applicants can apply for a zoning permit for a single-family dwelling on the lot and front the home on either street. They could also potentially subdivide into two lots which would require a minor subdivision but that can be approved by Administrative Staff.

Mayor Pro Tem Baker stated his main concern, stated in the Public Hearing, is the environmental effects of the proposed type of development on the property. Even though it is not in the flood zone, this property is prominent to flooding.

Mayor Pro Tem Baker made a motion to table action on SU-2021-007 until our next scheduled Town Board Meeting on January 6, 2022, at 7 PM in the Erwin Municipal Building Board Room and was seconded by Commissioner Turnage. **The Board voted unanimously.**

OLD BUSINESS

Redistricting

Town Manager Snow Bowden informed the Board that he was able to obtain the data needed to move forward. He did not see any need to change anything on our maps. **He informed the Board in 2030, the Town will need to hire an outside firm to analyze the census data.** There was not enough of a change this year to require hiring someone new. To the best of his knowledge and after review from staff, he felt our maps were constitutional.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: SU-2021-007

The town has received a special use permit application to build four town homes on a vacant parcel at the corner of Maye Street and Jenkins Street. The property can also be identified by its Harnett County Tax PIN # 1507-50-4906.000. There is a drainage easement on this property. The drainage ditch on this property is considered a blue line stream. The ditch/culvert under Maye Street was a part of the first phase of the East Erwin Drainage project that we completed in 2020. A small section of this parcel is in the 500-year flood plain but none of the proposed development would be located in any of the flood plain.

Attachments:

- SU-2021-007 Application
- SU-2021-007 Staff Report
- Harnett County GIS image with zoning
- Harnett County GIS image with no zoning
- Harnett County GIS image with drainage easement showing
- Harnett County GIS image with flood plain
- Harnett County GIS image with blue line stream
- Site Plan
- Property owners notified
- Planning Objective
- Deed

Suggested Motions:

For legal purposes, Staff recommends that 3 separate recommendations be made:

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)

2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).

3. I move to recommend:
 - a. Approval of SU-2021-007 Special Use Application to build four townhomes on the vacant parcel at the corner of Maye Street and Jenkins Street (HC Tax PIN #1507-50-4906.000)
 - b. Denial of SU-2021-007 Special Use Application to build four townhomes on the vacant parcel at the corner of Maye Street and Jenkins Street (HC Tax PIN #1507-50-4906.000)
 - c. Approval of SU-2021-007 Special Use Application to build four townhomes on the vacant parcel at the corner of Maye Street and Jenkins Street (HC Tax PIN #1507-50-4906.000)with additional conditions (state conditions).



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PAID

OCT 28 2021

check 7042

TOWN OF ERWIN

SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	MYTHE VO (MYHOMESLLC)	Property Owner Name	Timothy Sillis
Mailing Address	202 winterlochen dr Dunn, NC 28334	Mailing Address	64 Sumner St.
City, State, Zip		City, State, Zip	Rockland, MA
Telephone	678-468-9675	Telephone	
Email		Email	

Address of Subject Property	Maye street corner		
Parcel Identification Number(s) (PIN) of Subject Property	1507 - 50 - 4906 .000		
Legal Relationship of Applicant to Owner	potential Buyer	Floodplain SFHA	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	5	Block	110
Subdivision	The A 114		
Zoning District	R-6	Wetlands	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
Watershed Area	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>		
Public Water Available:	<input checked="" type="checkbox"/> Y or N	Public Sewer Available:	<input checked="" type="checkbox"/> Y or N
Existing Septic Tank:	Y or N <input checked="" type="checkbox"/>		
Number of Buildings to Remain	<input checked="" type="checkbox"/> 2	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: 2 Duplex Town homes			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

500 year not w/ee propose buildings are planned to be 1000

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Date Application Submitted	10/21/21	Office Use Only	Application Fee \$	300	Received By	MJB
Case #	SU-2021-007					



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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance 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 Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9-411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 2021 . 007

Signature Page

Page 1 of 2

See attached



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SPECIAL USE APPLICATION
Record of Adjacent Property Owners
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____

SU- 201 - 007

See attached

**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

 Yes No _____

2. The requested use is essential or desirable to the public convenience or welfare

 Yes No _____

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

 Yes No _____

4. The requested use will be in conformity with the Land Development Plan

 Yes No _____

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

 Yes No _____

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

 Yes No _____

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

 Yes No _____

SU- 2001 607

Finding of Facts

1



TOWN OF ERWIN

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www.erwin-nc.org

SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
 - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
 - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
 2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
 3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

SU. 221-607

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

SU-2014-007



TOWN OF ERWIN

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IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance

SU-2021-007

Important

Page 1 of 1



TOWN OF ERWIN

100 West F St., Post Office Box 459
Erwin, NC 28339
(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

SU- 2021 - 007

**Town of Erwin
Record and Decisions**

Office Use Only
 Notice Mailed 11/10/2021 Property Posted 11/10/2021 Newspaper Advertised Date 11/16,23/2021

Public Hearing Date and Comments: _____

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-007

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Public Hearing Date: Thursday, December 2nd, 2021

Requested special use permit to build four (4) town homes on a vacant parcel at the corner of Maye Street and Jenkins Street. The property can be identified by its Harnett County Tax PIN #1507-50-4906.000. The town homes would be on separate lots but it would consist of two separate buildings with a shared wall. Each proposed unit would be 1,450 square feet.

Applicant Information

Owner of Record:

Name: Timothy Sills

Address: 64 Summer Street

City/State/Zip: Rockland, MA 02370

Applicant:

Name: My Homes LLC.

Address: 202 Winterlochen Dr.

City/State/Zip: Dunn, NC 28334

Property Description

Harnett County Tax PIN 1507-50-4906.000.

Acres .86

Zoning District- Residential (R-6)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is a vacant parcel that is on the corner of Maye Street and Jenkins Street. There is an existing drainage ditch that is also considered a blue line stream. This drainage ditch was a part of the first phase of the East Erwin Drainage project that we completed back in 2020. There is a small section of this parcel that is also in the drainage ditch that is in the 500 year flood plain. But based on data from Harnett County GIS the rest of this parcel is not in a flood zone. There are also no protected wetlands on this property.

The completion of the first phase of the East Erwin Drainage project has helped alleviate some of the issues with flooding in this area of Town but there is still the possibility that flooding could be an issue in the future.

Surrounding Land Uses: This parcel is primarily surrounded by residential land uses. Most of those uses are single-family dwellings. There is a duplex adjacent to this property that is multi-family.

Services Available

- Electricity (Duke Energy)
 - Telephone (Centurylink)
 - Harnett Regional Water and Sewer
-
-

Zoning District Compatibility

Special Use	R-6
Townhouse developments	X

Staff Evaluation

Staff Evaluation

Yes No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Townhomes are allowed as a special use in our R-6 Zoning District.

Yes No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** The applicant is requesting a special use permit to open build two (2) separate buildings that would consists of four (4) townhomes. They would not be near the drainage easement. These homes would provide another option in our housing inventory inside Town Limits. These homes would provide an option four our residents or potential residents that do not necessarily want a standalone single-family dwelling.

Yes No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This proposed use would not have a negative impact on the area. There is a duplex that is adjacent to this parcel. The area is primarily made up of single-family dwellings.

Yes No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This area of land would be in the area identified for medium intensity growth. The plan calls for medium to high density mixed residential uses.

Yes No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** This is a vacant tract of land. There is access to sewer and water. The drainage ditch on the rear side of the property does have a drainage easement. The applicant would have adequate parking for each townhome.

Yes No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Harnett GIS



Harnett COUNTY
NORTH CAROLINA

GIS/E-911 Addressing
November 18, 2021

1 inch = 188 feet

0 80 160 320 Feet

Surrounding County Boundaries Major Roads

- City Limits
- Interstate
- NC
- US
- Address Numbers
- Airport

Roads

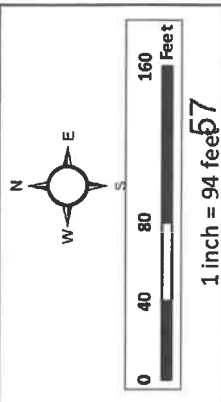
- Interstate Mile_Markers
- Mile_Markers
- Railroad

Parcels

Harnett GIS



NOT FOR LEGAL USE .



Historical County GIS, Harnett County, North Carolina, USA
www.harnettcounty.org

- Surrounding County Boundaries
- City Limits
- Address Numbers
- Airport
- MajorRoads
 - Interstate
 - NC
 - US
- Roads
- Mile_Markers
- Mile_Markers
- Railroad

Harnett
 COUNTY
 NORTH CAROLINA

GIS/E-911 Addressing
 November 18, 2021

Harnett GIS



NOT FOR LEGAL USE .



Harnett
COUNTY
NORTH CAROLINA


GIS/E-911 Addressing
November 18, 2021



N
E
S
W



0 80 160 320 Feet
1 inch = 188 feet

 Surrounding County Boundaries	 Interstate	 Major Roads	 Mile_Markers
 City Limits	 NC	 US	 Mile_Markers
 Address Numbers	 Roads	 Floodway	 Railroad
 Airport	 Flood Map Index	 Parcels	 Flood Map Index

Harnett GIS



Surrounding County Boundaries

- City Limits
- Address Numbers
- Airport

MajorRoads

- Interstate
- NC
- US
- Roads

Mile_Markers

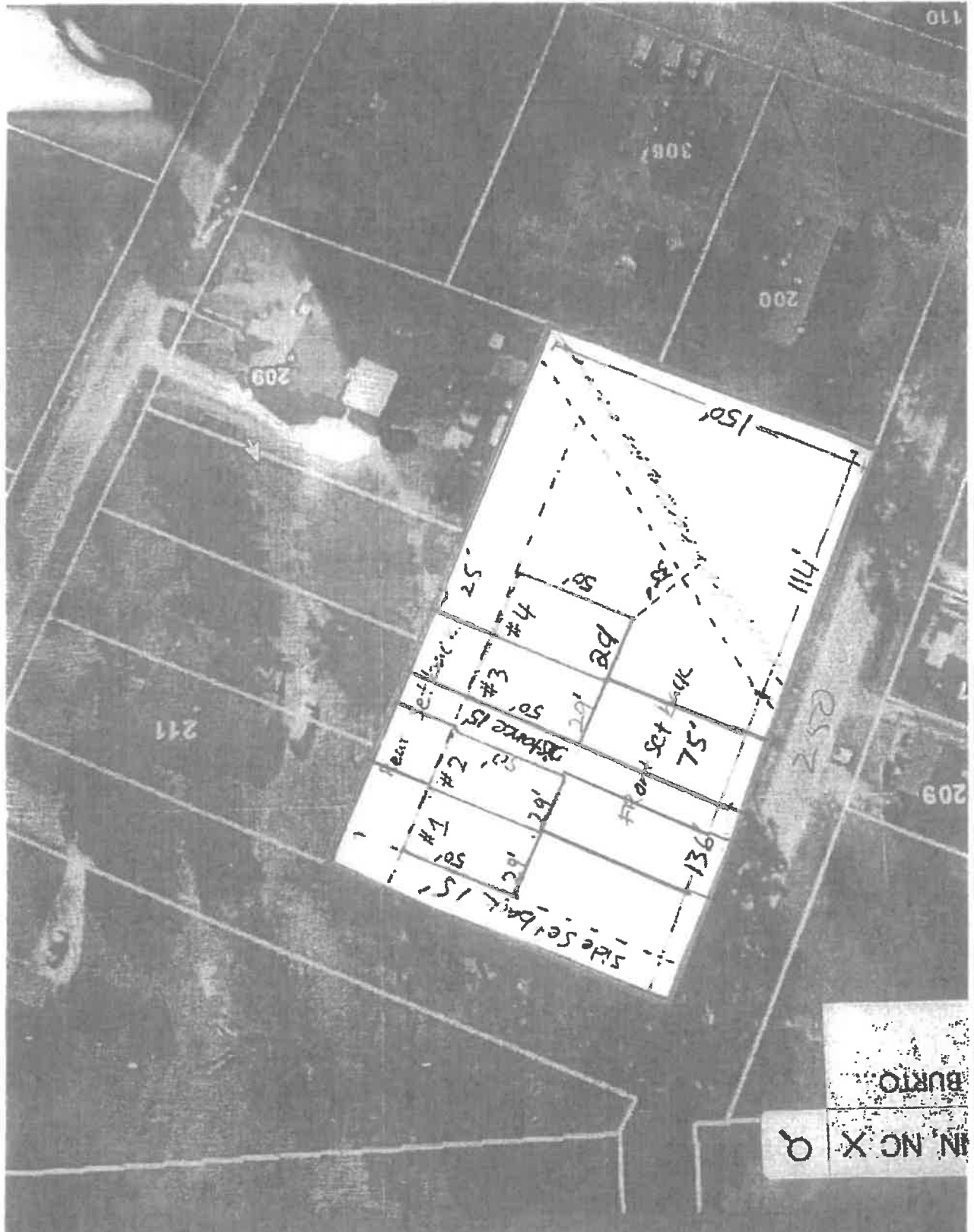
- Mile_Markers
- Railroad
- Parcels
- CapeFearRiver

Harnett COUNTY
100501 CAROLINA

GIS/E-911 Addressing
November 18, 2021

1 inch = 94 feet

mer: All information within this application is considered reference only - NOT FOR LE



IN, NC X Q

BURTO

Timothy Sills
64 Summer Street
Rockland, MA 02370

Tami L Rae
211 Burton Avenue
Dunn, NC 28334

Jack Brinkman
Scott Horn
209 Burton Avenue
Dunn, NC 28334

James and Ruth Cooley
308 Westfield Dr.
Dunn, NC 28334

Mark Anthony Sampson
308 Raynor Street
Dunn, NC 28334

Kimber Group, LLC.
PO Box 181
Erwin, NC 28339

Lawrence and Jessie Patterson
203 Maye Street
Dunn, NC 28334

William Garcia
16680 S W 52 ST
Miami, FL 33185

Manual and Joyce Rivera
207 Maye Street
Dunn, NC 28334

Roger Maye
101 Chelsea Lane
Dunn, NC 28334

David and Susan Wall
114 Knight Circle
Clemson, SC 29631

Walter Motino
PO Box 463
Clinton, NC 28329

Margaret Reece
210 Jenkins Street
Dunn, NC 28334

Marvin and Wanda Brooks
2953 H Bullard Road
Hope Mills, NC 28348

Wendy Burkland
210 Burton Street
Dunn, NC 28334

Magdalene Walls Heirs
C/O Deborah Walls
210 Raynor Street
Dunn, NC 28334

Debra Stephenson
421 Joe Collins Road
Lillington, NC 27546

Statement of Planning Objective

The owner of My Homes LLC has applied for a special use permit to build four townhomes on a vacant parcel at the corner of Maye Street and Jenkins Street. The current owner is Timothy Sills. The adjacent property owners are on a separate page in this submittal. The applicant has included a picture of the type of townhome(s) he would like to build on this lot if granted a special use permit. The property is currently zoned R-6, and townhome developments are allowed as a special use permit.

The applicant wishes to build two buildings that would have a shared wall. If approved a licensed surveyor would be preparing a subdivision to show each townhome being on a separate parcel. The applicant has proposed townhomes and not a planned unit development. There would be no new private streets, parking areas, common open spaces, or other protective covenants other than anything covered by a Town of Erwin ordinance.

The townhomes would front Maye Street. They will be accessed from Maye Street. The applicant wishes to build townhomes on this site to add to the housing inventory inside town limits. There are not many townhomes in Erwin at the moment. This development would provide another option to potential new residents. The applicant does plan on renting these units at the start. He wishes to get a special use permit for townhomes so each unit would be on a separate lot with its deed so if he wanted to sell in the future he could.

Each proposed building would be 58 feet (wide) by 50 feet (length). Each proposed townhome unit would be 29 feet (wide) by 50 feet (length). The applicant has selected this size unit to be mindful of the permanent drainage easement on this parcel and other setback requirements. The applicant has indicated to Town Staff that he would get started on this project within a year if approved. He would have to finalize the terms of purchasing the property and then have a surveyor prepare a plat subdividing the parcels.

FOR REGISTRATION
Kimberly S. Hargrove
REGISTER OF DEEDS
Harnett County, NC
2016 JUL 27 02:37:25 PM
BK: 3423 PG: 436-438
FEE: \$26.00
EXCISE TAX: \$17.00
INSTRUMENT # 2016010472
TWESTER

HARNETT COUNTY TAX ID#

021507 0172
7/27/16 BY JMS



2016010472

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 17.00

Parcel Identifier No. 02-1507-0172 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: McLeod Law Firm, 209 S. Wilson Avenue, Dunn, NC 28334

This instrument was prepared by: McLeod Law Firm, 209 S. Wilson Avenue, Dunn, NC 28334

Brief description for the Index: _____

THIS DEED made this 26 day of July, 2016, by and between

GRANTOR

GRANTEE

Frances Jean Moore, widow
107 Prince Street
Dunn, NC 28334

Timothy Sills
PO Box 298
Monponsett, MA 02350

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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, parcel of land or condominium unit situated in the City of Erwin, Averasboro Township, Harnett County, North Carolina and more particularly described as follows:

See Attached Schedule A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 497 page 18.
All or a portion of the property herein conveyed includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 5 page 50.

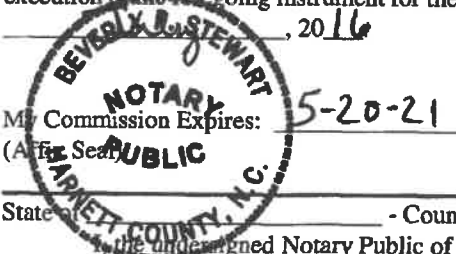
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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:

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

By: _____ (Entity Name) Frances Jean Moore (SEAL)
Print/Type Name: Frances Jean Moore
By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

State of North Carolina - County or City of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Frances Jean Moore personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 26 day of _____, 2016



Beverly P. Stewart
Beverly P. Stewart Notary Public
Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal) _____ Notary Public
Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that _____ he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, _____ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal) _____ Notary Public
Notary's Printed or Typed Name

Timothy Sills
Maye Street
Erwin, NC 28339

PID: 021507 0172

BEGINNING at a stake in the southern margin of the right-of-way of Moye Avenue, said beginning point being located North 27 deg. 50 minutes East 150 feet from the Eastern margin of the right-of-way of First Street and 490 feet from the Eastern margin of the right-of-way of the Dunn-Erwin Highway; and runs thence South 62 deg. 10 minutes East 150 feet to a stake; thence North 27 deg. 50 minutes East 250 feet to a stake in the Western margin of the right-of-way of Second Street; thence with the Western margin of the right-of-way of Second Street North 62 deg. 10 minutes West 150 feet to a stake in the Southern margin of the right-of-way of Moye Avenue at the point of its intersection with Second Street; thence with the Southern margin of the right-of-way of said Moye Avenue S. 27 deg. 50 minutes West 250 feet to the point of beginning and begin all of lots Nos. 110,111,112,113 and 114 as shown on the Map of the W. H. Lucas Property made by W.J. Lambert, registered Surveyor, on November 22, 1945, which map is recorded in Map Book 5, page 50, Harnett County Registry.

For further reference see deed filed in Book 418, page 80, Harnett County Registry.

MINUTES CONTINUED FROM DECEMBER 2, 2021

The Consensus on the Board was to move forward with the Restricting Data as presented by Town Manager Snow Bowden.

Street Sweeper

Town Manager Snow Bowden at our last Board meeting, it was discussed to use some of our ARP dollars to fund a new street sweeper to replace Public Works' current sweeper. As an interim rule in the Clean Water State Revolving Fund Eligibilities, a Street Sweeper is listed as an eligible purchase with ARP dollar. He reached out to the NCLM who informed him that the Town can use Sourcewell which is a co-op that has already met the Federal requirements for bidding. He ran the recommendation by Town Attorney Tim Morris as well.

Town Attorney Tim Morris stated that NC G.S. 143-129 (6) makes it clear. Due to the nature of buying it, he has nothing against it.

The consensus of the Board was to move forward with Town Manager Snow Bowden contacting Sourcewell.

NEW BUSINESS

December Workshop

Town Manager Snow Bowden stated he along with Town Engineer Bill Drietzler and Public Works Director Mark Byrd are working on a formal Storm Water Policy. They are asking to schedule a Workshop to discuss the plan. He suggested with the Holidays coming up, to wait until January and also discuss the Harnett County's Library consolidation.

MANAGER'S REPORT

Town Manager Snow Bowden stated he reached out to Becker Morgan who did the original drawings for the Erwin Depot. They were going to send out a Structural Engineer to look at the building and give us an idea of where we stand and what the cost might be to get our current plans up to date with code. He stated he should have updated numbers in January.

Town Manager Snow Bowden spoke with Representative Penny, our State Representative in the House, who informed him that the State did approve \$100,000 in their budget for some much-needed improvements to our Community Building. Once we have more updates on that, we will need to have a Workshop to discuss how we want to move forward. He stated he may reach out to the Department of Commerce to discuss grant opportunities for the Town.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

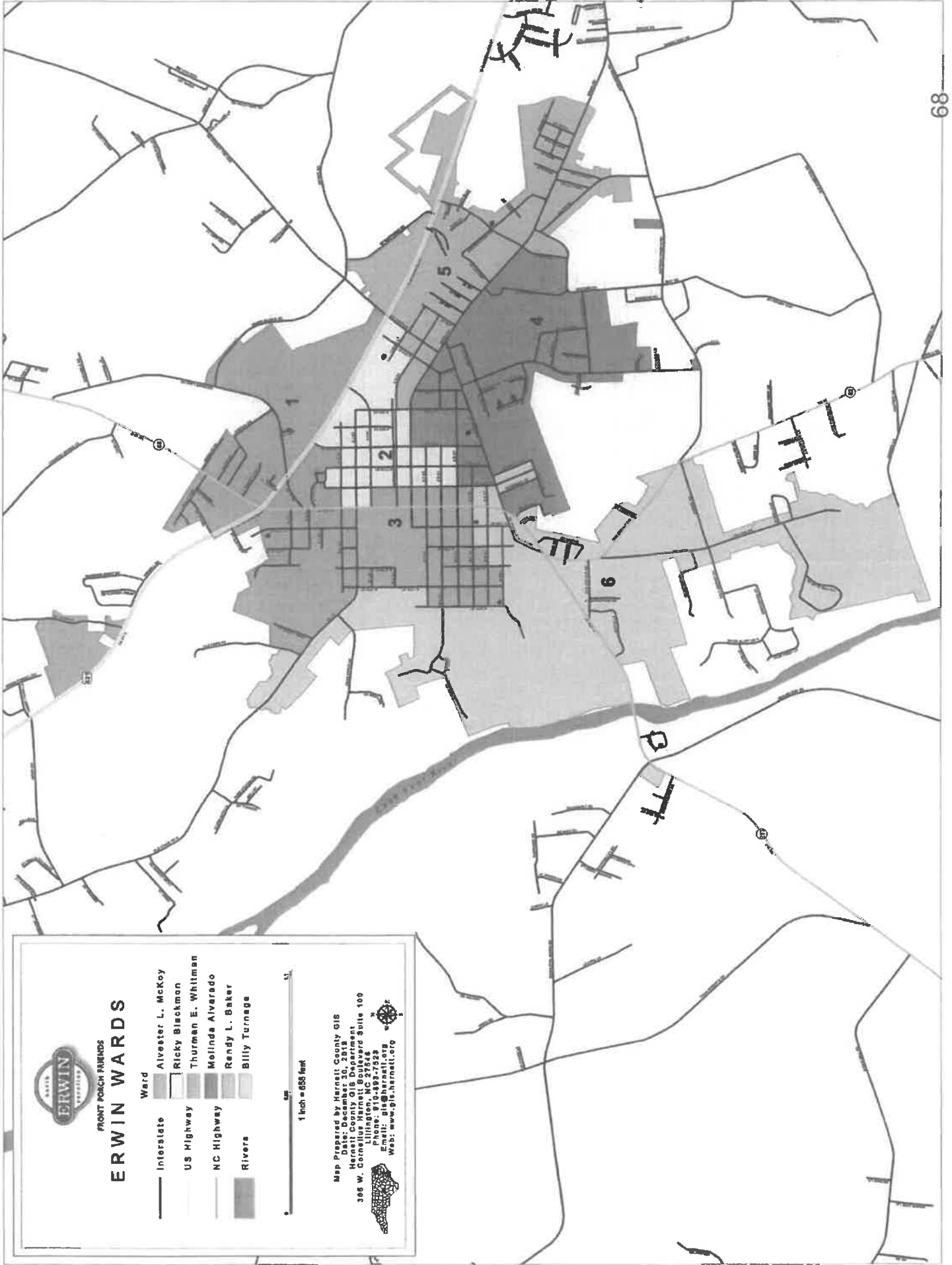
Subject: Redistricting

Town Staff has processed the data from the US Census and there is no need to redraw our voting districts based on the data from the 2020 US Census. Our voting districts are still in compliance with the 1965 Voting Rights Act and the constitutional requirements of one person, one vote. Our population only increased by 137 people based on the data found in the 2020 U.S. Census. One of the main trends found in the census was that America is becoming a more diverse nation.

It is a few years down the road but Town Staff would like to point out that the voting districts will most likely need to be redrawn after the 2030 U.S. Census.

Race	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6
Total Population	703	702	850	804	729	662
Total population, one race	667	647	770	770	657	617
White alone	265	520	527	627	512	500
Black or African American alone	349	87	157	55	75	81
American Indian/Alaska Native	2	8	9	3	5	4
Asian alone	1	0	4	1	0	5
Native Hawaiian and other Pacific Island Alone	0	1	1	0	0	1
Some Other Race	36	55	80	34	72	45

	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6
Percentage White Alone	38%	74%	62%	78%	70%	76%
Percentage African American Alone	50%	12%	18%	7%	10%	12%
Percentage All Other Races	55%	22%	30%	12%	21%	21%



FRONT PORCH FRIENDS

ERWIN WARDS

- | | | | |
|---|------------|---|--------------------|
| — | Interstate | ■ | Alvester L. McCoy |
| — | US Highway | ■ | Ricky Blackmon |
| — | NC Highway | ■ | Thurman E. Whitman |
| — | Rivers | ■ | Melinda Alverado |
| | | ■ | Rendy L. Baker |
| | | ■ | Billy Turnage |

1 inch = 655 feet

Map Prepared by Harnett County GIS
 Date: December 30, 2018
 Harnett County GIS Department
 306 W. Cornelius Harnett Boulevard Suite 100
 Erwin, NC 28529
 Phone: 910-899-7323
 Email: gis@harnett.org
 Web: www.gis.harnett.org



Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: Street Sweeper

Public Works Director Mark Byrd has requested that the Town look into purchasing a new street sweeper. The one that we currently have is beyond worn out and is in constant need of repair. We have a quote to purchase an Elgin Regen X Regenerative Air Sweeper, mounted on a Freightliner M2-106 chassis. The price is \$227,546 and is a contract price on Sourcewell. Sourcewell is a public agency that offers competitively solicited purchasing contracts for products and equipment to member agencies. NC General Statute 143-129 allows for purchases through this process. The proposal has been met the standards for the federal bidding process.

We can use some of our funds from the American Rescue Plan to purchase this piece of equipment. Street sweepers are an eligible equipment purchase based on information found in the Clean Water State Revolving Fund eligibilities form. Street sweepers are a piece of equipment that is generally used as a sediment control measure.

Attachments:

- Clean Water State Revolving Fund eligibilities packet (stormwater page)
- NC General Statute 143-129
- Bid received
- E-mail confirmation that we can use Sourcewell
- Proposed budget amendment to our American Rescue Project Ordinance

Stormwater

Eligible stormwater projects include gray and green infrastructure. Stormwater harvesting and use (see *Water Conservation*) and land conservation/easements (see *Surface Water Protection and Restoration*) are also eligible (see *Water Conservation*). Stormwater projects must have a water quality benefit.

Gray Infrastructure	Green Infrastructure
<ul style="list-style-type: none">• Traditional pipe, storage, and treatment systems• Real-time control systems for CSO management• Sediment controls including:<ul style="list-style-type: none">○ Filter fences○ Storm drain inlet protection○ Street sweepers○ Vacuum trucks	<ul style="list-style-type: none">• Green roofs, green streets, and green walls• Rainwater harvesting collection, storage, management, and distribution systems• Real-time control systems for harvested rainwater• Infiltration basins• Constructed wetlands, including surface flow and subsurface flow (e.g., gravel) wetlands• Bioretention/bioswales (e.g., rain gardens, tree boxes)• Permeable pavement• Wetland/riparian/shoreline creation, protection, and restoration• Establishment/restoration of urban tree canopy• Replacement of gray infrastructure with green infrastructure including purchase and demolition costs

Assistance may be provided:

- to any municipality or intermunicipal, interstate, or State agency for publicly owned stormwater projects. *Section 603(c)(1)*
- to any borrower for stormwater projects that implement a Section 319 NPS management program. *Section 603(c)(2)*
- to any borrower for stormwater projects that implement a Section 320 CCMP. *Section 603(c)(3)*
- to any borrower for projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water. *Section 603(c)(5)*
- to any municipality or municipal entity for management of municipal wet weather discharges on an integrated watershed or subwatershed basis for the purpose of demonstrating the effectiveness of a unified wet weather approach. *Section 603(c)(7)*
- to any municipality or municipal entity for stormwater BMPs in municipal separate storm sewers (MS4s) for the purpose of demonstrating and determining controls that are cost-effective and use innovative technologies. *Section 603(c)(7)*
- to any municipality or municipal entity for efforts of municipalities and property owners to develop or implement watershed partnerships to address nonpoint sources of pollution. *Section 603(c)(7)*
- to any municipality or municipal entity for the development and implementation of a municipality-wide stormwater management plan. *Section 603(c)(7)*
- to any borrower for projects to reuse stormwater or subsurface drainage water. *Section 603(c)(9)*

§ 143-129. Procedure for letting of public contracts.

(a) **Bidding Required.** - No construction or repair work requiring the estimated expenditure of public money in an amount equal to or more than five hundred thousand dollars (\$500,000) or purchase of apparatus, supplies, materials, or equipment requiring an estimated expenditure of public money in an amount equal to or more than ninety thousand dollars (\$90,000) may be performed, nor may any contract be awarded therefor, by any board or governing body of the State, or of any institution of the State government, or of any political subdivision of the State, unless the provisions of this section are complied with; provided that The University of North Carolina and its constituent institutions may award contracts for construction or repair work that requires an estimated expenditure of less than five hundred thousand dollars (\$500,000) without complying with the provisions of this section.

For purchases of apparatus, supplies, materials, or equipment, the governing body of any political subdivision of the State may, subject to any restriction as to dollar amount, or other conditions that the governing body elects to impose, delegate to the manager, school superintendent, chief purchasing official, or other employee the authority to award contracts, reject bids, or readvertise to receive bids on behalf of the unit. Any person to whom authority is delegated under this subsection shall comply with the requirements of this Article that would otherwise apply to the governing body.

(b) **Advertisement and Letting of Contracts.** - Where the contract is to be let by a board or governing body of the State government or of a State institution, proposals shall be invited by advertisement in a newspaper having general circulation in the State of North Carolina. Where the contract is to be let by a political subdivision of the State, proposals shall be invited by advertisement in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to advertise solely by electronic means, whether for particular contracts or generally for all contracts that are subject to this Article, shall be approved by the governing board of the political subdivision of the State at a regular meeting of the board.

The advertisements for bidders required by this section shall appear at a time where at least seven full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals.

Proposals may be rejected for any reason determined by the board or governing body to be in the best interest of the unit. However, the proposal shall not be rejected for the purpose of evading the provisions of this Article. No board or governing body of the State or political subdivision thereof may assume responsibility for construction or purchase contracts, or guarantee the payments of labor or materials therefor except under provisions of this Article.

All proposals shall be opened in public and the board or governing body shall award the contract to the lowest responsible bidder or bidders, taking into consideration quality, performance and the time specified in the proposals for the performance of the contract.

In the event the lowest responsible bids are in excess of the funds available for the project or purchase, the responsible board or governing body is authorized to enter into negotiations with the lowest responsible bidder above mentioned, making reasonable changes in the plans and specifications as may be necessary to bring the contract price within the funds available, and may award a contract to such bidder upon recommendation of the Department of Administration in the case of the State government or of a State institution or agency, or upon recommendation of the responsible commission, council or board in the case of a subdivision of the State, if such bidder will agree to perform the work or provide the apparatus, supplies, materials, or equipment at the negotiated price within the funds available therefor. If a contract cannot be let under the above conditions, the board or governing body is authorized to readvertise, as herein provided, after having made such

changes in plans and specifications as may be necessary to bring the cost of the project or purchase within the funds available therefor. The procedure above specified may be repeated if necessary in order to secure an acceptable contract within the funds available therefor.

No proposal for construction or repair work may be considered or accepted by said board or governing body unless at the time of its filing the same shall be accompanied by a deposit with said board or governing body of cash, or a cashier's check, or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation in an amount equal to not less than five percent (5%) of the proposal. In lieu of making the cash deposit as above provided, such bidder may file a bid bond executed by a corporate surety licensed under the laws of North Carolina to execute such bonds, conditioned that the surety will upon demand forthwith make payment to the obligee upon said bond if the bidder fails to execute the contract in accordance with the bid bond. This deposit shall be retained if the successful bidder fails to execute the contract within 10 days after the award or fails to give satisfactory surety as required herein.

Bids shall be sealed and the opening of an envelope or package with knowledge that it contains a bid or the disclosure or exhibition of the contents of any bid by anyone without the permission of the bidder prior to the time set for opening in the invitation to bid shall constitute a Class 1 misdemeanor.

(c) **Contract Execution and Security.** - All contracts to which this section applies shall be executed in writing. The board or governing body shall require the person to whom the award of a contract for construction or repair work is made to furnish bond as required by Article 3 of Chapter 44A; or require a deposit of money, certified check or government securities for the full amount of said contract to secure the faithful performance of the terms of said contract and the payment of all sums due for labor and materials in a manner consistent with Article 3 of Chapter 44A; and the contract shall not be altered except by written agreement of the contractor and the board or governing body. The surety bond or deposit required herein shall be deposited with the board or governing body for which the work is to be performed. When a deposit, other than a surety bond, is made with the board or governing body, the board or governing body assumes all the liabilities, obligations and duties of a surety as provided in Article 3 of Chapter 44A to the extent of said deposit.

The owning agency or the Department of Administration, in contracts involving a State agency, and the owning agency or the governing board, in contracts involving a political subdivision of the State, may reject the bonds of any surety company against which there is pending any unsettled claim or complaint made by a State agency or the owning agency or governing board of any political subdivision of the State arising out of any contract under which State funds, in contracts with the State, or funds of political subdivisions of the State, in contracts with such political subdivision, were expended, provided such claim or complaint has been pending more than 180 days.

(d) **Use of Unemployment Relief Labor.** - Nothing in this section shall operate so as to require any public agency to enter into a contract which will prevent the use of unemployment relief labor paid for in whole or in part by appropriations or funds furnished by the State or federal government.

(e) **Exceptions.** - The requirements of this Article do not apply to:

- (1) The purchase, lease, or other acquisition of any apparatus, supplies, materials, or equipment from: (i) the United States of America or any agency thereof; or (ii) any other government unit or agency thereof within the United States. The Secretary of Administration or the governing board of any political subdivision of the State may designate any officer or employee of the State or political subdivision to enter a bid or bids in its behalf at any sale of apparatus, supplies, materials, equipment, or other property owned by: (i) the United States of America or any agency thereof; or (ii) any other governmental unit or agency thereof within the United States. The Secretary of Administration or the governing board of any political subdivision of the State may authorize the officer or employee to make any partial or down

payment or payment in full that may be required by regulations of the governmental unit or agency disposing of the property.

- (2) Cases of special emergency involving the health and safety of the people or their property.
 - (3) Purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies.
 - (4) Construction or repair work undertaken during the progress of a construction or repair project initially begun pursuant to this section.
 - (5) Purchase of gasoline, diesel fuel, alcohol fuel, motor oil, fuel oil, or natural gas. These purchases are subject to G.S. 143-131.
 - (6) Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. Notwithstanding any other provision of this section, the governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract.
 In the case of purchases by hospitals, in addition to the other exceptions in this subsection, the provisions of this Article shall not apply when: (i) a particular medical item or prosthetic appliance is needed; (ii) a particular product is ordered by an attending physician for his patients; (iii) additional products are needed to complete an ongoing job or task; (iv) products are purchased for "over-the-counter" resale; (v) a particular product is needed or desired for experimental, developmental, or research work; or (vi) equipment is already installed, connected, and in service under a lease or other agreement and the governing body of the hospital determines that the equipment should be purchased. The governing body of a hospital shall keep a record of all purchases made pursuant to this subdivision. These records are subject to public inspection.
 - (7) Purchases of information technology through contracts established by the Department of Information Technology as provided in Article 15 of Chapter 143B of the General Statutes.
 - (8) Guaranteed energy savings contracts, which are governed by Article 3B of Chapter 143 of the General Statutes.
 - (9) Purchases from contracts established by the State or any agency of the State, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, and conditions as established in the State contract.
 - (9a) Purchases of apparatus, supplies, materials, or equipment from contracts established by the United States of America or any federal agency, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, and conditions as established in the federal contract.
 - (10) Purchase of used apparatus, supplies, materials, or equipment. For purposes of this subdivision, remanufactured, refabricated or demo apparatus, supplies, materials, or equipment are not included in the exception. A demo item is one that is used for demonstration and is sold by the manufacturer or retailer at a discount.
 - (11) Contracts by a public entity with a construction manager at risk executed pursuant to G.S. 143-128.1.
 - (12) Repealed by Session Laws 2006-232, s. 2, effective July 1, 2015.
- (f) Repealed by Session Laws 2001-328, s. 1, effective August 2, 2001.

(g) **Waiver of Bidding for Previously Bid Contracts.** - When the governing board of any political subdivision of the State, or the person to whom authority has been delegated under subsection (a) of this section, determines that it is in the best interest of the unit, the requirements of this section may be waived for the purchase of apparatus, supplies, materials, or equipment from any person or entity that has, within the previous 12 months, after having completed a public, formal bid process substantially similar to that required by this Article, contracted to furnish the apparatus, supplies, materials, or equipment to:

- (1) The United States of America or any federal agency;
- (2) The State of North Carolina or any agency or political subdivision of the State; or
- (3) Any other state or any agency or political subdivision of that state, if the person or entity is willing to furnish the items at the same or more favorable prices, terms, and conditions as those provided under the contract with the other unit or agency. Notwithstanding any other provision of this section, any purchase made under this subsection shall be approved by the governing body of the purchasing political subdivision of the State at a regularly scheduled meeting of the governing body no fewer than 10 days after publication of notice that a waiver of the bid procedure will be considered in order to contract with a qualified supplier pursuant to this section. Notice may be published in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to publish notice solely by electronic means for a particular contract or for all contracts under this subsection shall be approved by the governing board of the political subdivision. Rules issued by the Secretary of Administration pursuant to G.S. 143-49(6) shall apply with respect to participation in State term contracts.

(h) **Transportation Authority Purchases.** - Notwithstanding any other provision of this section, any board or governing body of any regional public transportation authority, hereafter referred to as a "RPTA," created pursuant to Article 26 of Chapter 160A of the General Statutes, or a regional transportation authority, hereafter referred to as a "RTA," created pursuant to Article 27 of Chapter 160A of the General Statutes, may approve the entering into of any contract for the purchase, lease, or other acquisition of any apparatus, supplies, materials, or equipment without competitive bidding and without meeting the requirements of subsection (b) of this section if the following procurement by competitive proposal (Request for Proposal) method is followed.

The competitive proposal method of procurement is normally conducted with more than one source submitting an offer or proposal. Either a fixed price or cost reimbursement type contract is awarded. This method of procurement is generally used when conditions are not appropriate for the use of sealed bids. If this procurement method is used, all of the following requirements apply:

- (1) Requests for proposals shall be publicized. All evaluation factors shall be identified along with their relative importance.
- (2) Proposals shall be solicited from an adequate number of qualified sources.
- (3) RPTAs or RTAs shall have a method in place for conducting technical evaluations of proposals received and selecting awardees, with the goal of promoting fairness and competition without requiring strict adherence to specifications or price in determining the most advantageous proposal.
- (4) The award may be based upon initial proposals without further discussion or negotiation or, in the discretion of the evaluators, discussions or negotiations may be conducted either with all offerors or with those offerors determined to be within the competitive range, and one or more revised proposals or a best and final offer may be requested of all remaining offerors. The details and deficiencies of an offeror's proposal may not be disclosed to other offerors during any period of negotiation or discussion.

- (5) The award shall be made to the responsible firm whose proposal is most advantageous to the RPTA's or the RTA's program with price and other factors considered.

The contents of the proposals shall not be public records until 14 days before the award of the contract.

The board or governing body of the RPTA or the RTA shall, at the regularly scheduled meeting, by formal motion make findings of fact that the procurement by competitive proposal (Request for Proposals) method of procuring the particular apparatus, supplies, materials, or equipment is the most appropriate acquisition method prior to the issuance of the requests for proposals and shall by formal motion certify that the requirements of this subsection have been followed before approving the contract.

Nothing in this subsection subjects a procurement by competitive proposal under this subsection to G.S. 143-49, 143-52, or 143-53.

RPTAs and RTAs may adopt regulations to implement this subsection.

(i) Procedure for Letting of Public Contracts. - The Department of Transportation ("DOT"), The University of North Carolina and its constituent institutions ("UNC"), and the Department of Administration ("DOA") shall monitor all projects in those agencies and institutions that are let without a performance or payment bond to determine the number of defaults on those projects, the cost to complete each defaulted project, and each project's contract price. Beginning March 1, 2011, and annually thereafter, DOT, UNC, and DOA shall report this information to the Joint Legislative Committee on Governmental Operations.

(j) [Use of E-Verify Required. -] No contract subject to this section may be awarded by any board or governing body of the State, institution of State government, or any political subdivision of the State unless the contractor and the contractor's subcontractors comply with the requirements of Article 2 of Chapter 64 of the General Statutes. (1931, c. 338, s. 1; 1933, c. 50; c. 400, s. 1; 1937, c. 355; 1945, c. 144; 1949, c. 257; 1951, c. 1104, ss. 1, 2; 1953, c. 1268; 1955, c. 1049; 1957, c. 269, s. 3; c. 391; c. 862, ss. 1-4; 1959, c. 392, s. 1; c. 910, s. 1; 1961, c. 1226; 1965, c. 841, s. 2; 1967, c. 860; 1971, c. 847; 1973, c. 1194, s. 2; 1975, c. 879, s. 46; 1977, c. 619, ss. 1, 2; 1979, c. 182, s. 1; 1979, 2nd Sess., c. 1081; 1981, c. 346, s. 1; c. 754, s. 1; 1985, c. 145, ss. 1, 2; 1987, c. 590; 1987 (Reg. Sess., 1988), c. 1108, ss. 7, 8; 1989, c. 350; 1993, c. 539, s. 1007; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 367, s. 6; 1997-174, ss. 1-4; 1998-185, s. 1; 1998-217, s. 16; 2001-328, s. 1; 2001-487, s. 88; 2001-496, ss. 4, 5; 2005-227, s. 1; 2006-232, s. 2; 2007-94, s. 1; 2007-322, s. 4; 2007-446, s. 6; 2010-148, s. 1.2; 2011-234, s. 1; 2013-418, s. 2(c); 2015-241, s. 7A.4(s).)

November 10, 2021

Quote #: **0521062**

Town of Erwin
730 N. 13th Street
Erwin, NC 28339

Attention: Mark Byrd

RE: Regen X Regenerative Air Sweeper

Dear Mark,

We would like to take this opportunity to thank you for your continued interest in Public Works Equipment (PWE) and Elgin's industry-leading line of innovative street sweeping products.

PWE is pleased to present the following quotation to provide one (1) Elgin Regen X Regenerative Air Sweeper, mounted on a Freightliner M2-106 chassis per Sourcewell Contract # 122017-FSC-1.

We appreciate the opportunity to assist with this equipment requirement and ask that you not hesitate to contact us should you require additional information.

Respectfully Submitted,

Doug Boice
Area Sales Manager
Public Works Equipment
Cell: (980)239-8055
dboice@pweasi.com

Quotation

To provide one (1) Regen X Regenerative Air Sweeper mounted on a Freightliner M2-106 chassis, standard equipped as described below:

Auxiliary Engine:

- Make: John Deere 4045T Tier Four Final
- Type: 4-cylinder, turbocharged diesel
- Displacement 276 cu. In. (4.5L)
- Horsepower: 74 (55 kW) @2400 RPM
- Torque: 224 ft-lbs (304 Nm) @ 1600 RPM
- Auto Shutdown for Low Oil/High Temp Electronic Throttle

Blower (Fan):

- Driven by a two (2) "V" groove power belt, with spring-loaded tensioner; not requiring repositioning of the auxiliary engine for adjustment
- Blower speed shall not exceed 3050 RPM
- Closed face turbine type, 33^{3/8} in. diameter, with 9 vanes constructed of Hardox steel
- Blower housing shall be constructed of 7-gauge steel
- Inspection door
- Belt tension shall not exceed 20 Hz

Pickup Head:

- 90" wide and 30" long for a total area of 2700² inches
- 14" diameter pressure hose that connects the blower outlet with the pickup head
- 13" diameter suction hose with a quick disconnect coupling at the lower end near the pickup head and the higher end near the hopper inlet, steel portion of this suction tube shall be no shorter than 19"
- The pressure side shall be equipped with an in-cab steel cable-controlled pressure relief valve/vacuum enhancer/leaf bleeder no smaller than 116 square-inches
- The suction chamber shall be equipped with a washout port that does not restrict the sizing of washout nozzle(s) used
- The front and rear debris curtains shall be removable through the loosening of four (4) slotted bolts without removing the pickup head from the unit
- Raised and lowered by rocker switch inside the cab

Side Brooms:

- 144" total sweep path with both side brooms extended
- Free floating trailing arm, parallelogram design
- 42" diameter with hydraulically driven rotation, pneumatically raised and lowered
- Controlled by in cab rocker switches

Hopper:

- 8 cu. yards with all fore-and-aft edges being minimum of 6" radius to provide ease of cleaning and debris evacuation
- Constructed of 10-gauge steel and ¼" thick steel floor
- 50° total dump angle, 10° hopper floor plus 40° dump angle
- Two (2) single stage telescoping cylinders
- External hopper props
- Dump control shall consist of weatherproof toggle switches located on the exterior right side of sweeper along with optional in-cab dump switches – hopper raise/lower and hopper door open/close – shall also be available
- A single screen assembly with total surface area of 3970 square inches, constructed of 11-gauge steel, shall be installed to allow air to move freely from the hopper into the centrifugal dust separator
- Screen shall be hinged and lowered via a pneumatically controlled cable drop-down system

Spray Water System:

- Polyethylene tank, 265-gal. capacity
- 16' 8" fill hose
- Color coded water lines
- Three (3) spray nozzles at each side broom, three (3) at suction hose
- One (1) electric 12-volt, diaphragm type pump will provide a capacity of 4 GPM to the pickup head, the suction hose, and the side brooms. The system pressure shall be sized for 40 PSI

Hydraulic System:

- Gear driven pump, with a flow capacity of 7.0 GPM @ 2100 RPM and 8.3 GPM @ 2500 RPM
- 11 gal. capacity with exterior site gauge

Pneumatic System:

- All pneumatic cylinders rated to 150 PSI and have a separate rod seal and wiper
- All pneumatic cylinders are interchangeable

Electrical System:

- Rear-facing backup camera
- Backup alarm
- Wiring system is color coded and "function stamped"

Instrumentation:

- "Raised" hopper indicator and "open" hopper door indicator and a "full" hopper indicator
- Diagnostic information
- Tachometer, hour meter, oil pressure, voltage, and coolant temperature

Additional Enhancements Included:

- Hydraulic Oil/Thermo
- LED Stop Tail Turn
- Bos Air Cloth 905
- RH Toolbox
- Sweep Lights LED-RM
- Front Spray Bar
- Front/Rear LED Beacons RM
- Hooper Deluge
- LH Sidebroom Tilt
- RH Sidebroom Tilt
- Wandering Hose
- Flow Block

Purchase Price\$227,546.00

Terms & Conditions

****Subject to Prior Sale****

Pricing in USD, taxes, and fees to be paid at time of tag & title if applicable

Price Includes PDI, delivery and training

FOB: Erwin, NC

Payment Terms: Due upon receipt

Purchase order required

Delivery: Stock unit available for immediate delivery

Quotation valid for 30 days

U004737

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: December 2, 2021

Subject: December Workshop

Town Staff has put together a Storm Water Policy that we would like to present to the Town Board at a workshop meeting. Our typical day for a workshop in December falls on a day that Town Hall is closed for a holiday. We would like to get something scheduled for some time in December.

Potential Dates:

- Monday, December 13th at 6 PM
- Thursday, December 9th at 6 PM
- Thursday, December 16th at 6 PM

MINUTES CONTINUED FROM DECEMBER 2, 2021

Town Manager Snow Bowden informed the Board of Holiday Denim Days on December 4th from 10 AM – 3 PM and the Christmas Parade on December 6th at 7 PM.

ATTORNEY'S REPORTS

Town Attorney Tim Morris thanked the Board for allowing him to be their attorney. He complimented our Librarian, Kimberly Vanbeck, on her presentation to the Board last month. He stated his initial reaction was negative to waving late fees for the library but she completely changed his mind during the presentation and he thought the Town was lucky to have her. He announced the Erwin Lions Club formed a new club at Triton High School called the LEOs Club. The club has 23 members and it is a service organization doing some community projects funded by the Erwin Lions Club. He thanked Commissioner Alvarado for her service and she has been instrumental to the Town Board.

GOVERNING COMMENTS

Commissioner McKoy stated he hoped the Public Comment in regards to the concerns of the plant operating at the end of his street did not fall on deaf ears. He has concerns for his neighborhood, his Ward, and the citizens of Erwin as a whole. The Sunday before last, he called Town Manager Snow Bowden in regards to the ongoing issue he is having at N and 13th Street with people working on racecars. He stated the road is narrow as it is and they had overflowing cars parked everywhere. People were calling him because there was burnt asphalt all in the air and cars were backfiring causing people to scream. He is tired of it and asked someone to write a letter to the owner of the business to stop the noise. He stated there is a time and place for everything and on a Sunday morning during church is unacceptable. He called 911 and had the Police go speak with them. He wanted to know if the Police Department is fully staffed because he very seldom sees the officers.

Police Chief Jonathan Johnson stated they do have an officer out on a medical injury right now but they are fully staffed. With one being out, it does sometimes leave one police officer at a time but normally there are two on days and two on nights.

Commissioner McKoy stated only one officer in the whole Town is scary and something needs to be done about it.

Commissioner Whitman stated he received a complaint about the two junk cars on the property located at 210 West C Street. He stated the whole corner lot is a mess. He stated we need to try and help the people in Commissioner McKoy's Ward with their concern for that plant.

MINUTES CONTINUED FROM DECEMBER 2, 2021

Mayor Carson informed the Board that there will be t-shirts for 20 dollars at Holiday Denim Days and she asked that they come out and ride on the float in the Christmas Parade. There were 70 entries in the Parade and EE Smith steppers will be in the Parade.

Commissioner Alvarado stated she is excited about the new school, it is breathtaking. She expressed it has been an honor and privilege to serve as a Commissioner, it is not something she thought she would ever do growing up here in Erwin. She thanked the Board for the well wishes.

Mayor Pro Tem Baker thanked Commissioner Alvarado. He stated it has been his honor and pledger to serve alongside her. She truly cares for Erwin and the Board will miss her. He informed the Board he will not be able to be at the Town Christmas party due to issues with his family. He wished everyone a Merry Christmas and thanked them for their thoughts and prayers. We are looking forward to a better year. We have gone through a lot this year. He stated he was happy to see Mrs. McLean receive the Citizen of the Month Award, she deserved it and many people in Erwin deserve it. That's why he loves Erwin, we don't get along all the time but we are a family.

Commissioner Turnage stated it has been a pleasure serving with Commissioner Alvarado. She came in and did a super job and she is going to be hard to replace. If she ever chooses to come back to Erwin, the Board will welcome her with open arms.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 8:36 P.M. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

LAUREN EVANS TOWN CLERK

ATTEST:



Patsy Carson

Mayor



Lauren Evans

Town Clerk