

**THE ERWIN BOARD OF COMMISSIONERS
JUNE 2021 REGULAR WORKSHOP
MONDAY, JUNE 28, 2021 @ 6:00 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 request discussion of an item, the item will be removed from the consent Agenda and considered under New Business.

- A. Budget Ordinance Amendment BOA 2021-03 **(Page 2)**
- B. Budget Ordinance Amendment BOA 2021-04 **(Page 3)**
- C. Updates to Personnel Policy **(Page 4)**
- D. Renewal of SRO Program Memorandum of Understanding **(Page 6)**

4. NEW BUSINESS

- A. Proposed Fiscal Year 2021-2022 Budget **(Page 7)**
- B. American Rescue Plan Grant Project Ordinance **(Page 8)**
- C. NCGS 160D Updates **(Page 11)**
- D. LED Sign Proposed Text Amendment **(Page 12)**
- E. Proposed 4-Way Stop Sign **(Page 15)**
- F. ZT-2021-005 **(Page 16)**

5. ADJOURNMENT

ERWIN BOARD OF COMMISSIONERS**REGULAR WORKSHOP MINUTES****JUNE 28, 2021****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding, held its Regular Workshop in the Erwin Municipal Building Board Room on Monday, June 28, 2021, at 6:00 P.M. in Erwin, North Carolina.

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

Board Members absent were: Commissioner Melinda Alvarado

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

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

Town Clerk Lauren Evans led the Pledge of Allegiance.

Mayor Pro Tem Randy Baker gave the invocation.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to add Budget Ordinance Amendment BOA 2021-05 to Consent as Item 3E which covers a five hundred dollar one-time bonus for all employees as discussed at our Budget Retreat. He also requested to add Election Updates to New Business as Item 5G.

Commissioner Baker made a motion to approve the adjusted agenda and was seconded by Commissioner Whitman. **The Board voted unanimously.**

MINUTES CONTINUED FROM JUNE 28, 2021

CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Budget Ordinance Amendment BOA 2021-03 **(ITEM B)** Budget Ordinance Amendment BOA 2021-04 **(ITEM C)** Updates to Personnel Policy **(ITEM D)** Renewal of SRO Program Memorandum of Understanding **(ITEM E)** Budget Ordinance Amendment BOA 2021-05 and was seconded by Commissioner Baker.

The Board voted unanimously.

NEW BUSINESS

PROPOSED FISCAL YEAR 2021-2022 BUDGET

Town Manager stated there were no major changes from when the Budget was presented at our June 3rd meeting. The main changes were as follows:

- Twenty thousand dollars was taken out for purchasing an HVAC unit for Town Hall and was moved to the Police Department to purchase laptops.
- Our Worker's Comp Insurance came in higher than expected. All together the Property/Liability Insurance is about eight thousand dollars higher than originally expected.

Commissioner Turnage stated he noticed that the gym ceiling was left out of the Budget. He asked how badly the ceiling is leaking and whether it could potentially damage the floor.

Town Manager Snow Bowden stated he needs to talk with the Recreation Director, Doug, in more detail but if it gets to the point where the ceiling needs to be replaced, it would be a one-time transfer out of our Capital Reserve Funds. He has not been able to go down there and look at the ceiling himself but he stated that he will investigate and inform the Board if it can wait another year. It would cost about forty thousand dollars, he tried to incorporate it into the budget but he could not make it work.

Commissioner Blackmon made a motion to approve the Fiscal Year 2021-2022 Budget and was seconded by Commissioner Whitman. **The Board voted unanimously.**

BUDGET ORDINANCE AMENDMENT

BOA 2021- 03

FISCAL YEAR 2020-2021

BE IT ORDANINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Section 1. This Budget Ordinance Amendment seeks to transfer \$53,279.00 between Departments to account for underestimated line item expenses and overestimated line item expenses. These transfers will allow the 2020-2021 Department Budgets to be in balance.

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

No Changes

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
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Section 3. To amend the General Fund: The Expenditures are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-6400-160	Maint./Repair Equip.	1,000	6,635	7,635
10-4201-150	Maint & Repair Grounds	15,000	2,322	17,322
10-4100-990	Contingency	8,957	-8,957	0
10-5800-020	Sanitation Salaries	33,145	19,487	52,632
10-5600-020	Streets - Salaries	118,809	-19,487	99,322
10-5800-050	Sanitation FICA	2,638	1,560	4,198
10-5600-050	Streets – FICA	11,563	-1,560	10,003
10-5800-070	Sanitation Retirement	3,398	2,275	5,673
10-5600-070	Streets – Retirement	10,777	-2,275	8,502
10-5800-071	Sanitation 401k Contrib.	1,658	1,000	2,658
10-5600-071	Streets – 401K Contrib.	5,941	-1,000	4,941
10-4510-450	Contracted Services	165,000	20,000	185,000
10-4350-020	Inspections Salaries	45,000	-20,000	25,000
Total Increase / Decreases			(+) \$53,279.00 / (-) \$53,279.00	

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

Adopted this the 28th day of June 2021.



 Patsy Carson, Mayor

ATTEST:


 Lauren Evans, Town Clerk

**BUDGET ORDINANCE AMENDMENT
BOA 2021- 04
FISCAL YEAR 2020-2021**

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Section 1. This Budget Ordinance Amendment seeks to increase revenues by \$25,517.35 and increase expenditures by \$25,517.35 to recognize additional revenues and expenses for the 2020-2021 Budget.

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


Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-3350-000	Other Revenue	0	1,840.50	1,840.50
10-3350-000	Other Revenue	1,840.50	6,676.85	8,517.35
10-3530-020	Fire Protection Chg 2020	203,287.00	8,500.00	211,787.00
10-3540-020	DMV Fire Protect. 2020	32,480.00	8,500.00	40,980.00
Total Increase in Revenues:			\$25,517.35	

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

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-5100-170	Maint & Repair	10,000.00	1,840.50	11,840.50
10-5100-170	Maint & Repair	11,840.50	6,676.85	18,517.35
10-5300-450	Contract Serv. Fire	235,767.00	17,000.00	252,767.00
Total Increase in Expenditures:			\$25,517.35	

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

Adopted this the 28th day of June 2021.



 Patsy Carson, Mayor

ATTEST


 Lauren Evans, Town Clerk

Re: Renewal of School Resource Officer Program Memorandum of Understanding

Per Article VII entitled "Amendments and Modifications: Additional Policies and Procedures" of the School Resource Officer Program Memorandum of Understanding dated October 1, 2018 ("MOU"), attached hereto, the Harnett County Board of Education and Town of Erwin mutually agree to renew the MOU on the same terms and conditions for a term of 12 months beginning July 1, 2021 and ending June 30, 2022.

SIGNATURES:

Duncan E Jagger

Snow Boudle

6-7-2021

DATE

7-8-2021

DATE

BUDGET ORDINANCE AMENDMENT
BOA 2021- 05
FISCAL YEAR 2020-2021

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Section 1. This Budget Ordinance Amendment seeks to increase revenues by \$11,844 and increase expenditures by \$11,844 to recognize additional revenues and expenses for the 2020-2021 Budget.

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


Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-3010-020	Ad Valorem 2020	1,091,334.00	11,844	1,103,178
Total Increase in Revenues:			11,844	

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

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-5100-020	Salaries: Police	475,790	5,500	481,290
10-5100-050	FICA	41,062	421	41,483
10-5450-020	Salaries: P.Wks Admin	58,054	500	58,554
10-5450-050	FICA	4,531	39	4,570
10-5600-020	Salaries: P.Wks Street	99,322	1,500	100,822
10-5600-050	FICA	10,003	115	10,118
10-6200-020	Salaries: Recreation	121,817	1,500	123,317
10-6200-050	FICA	11,461	115	11,576
10-6300-020	Salaries: Library	35,655	500	36,155
10-6300-050	FICA	2,728	39	2,767
10-4200-020	Salaries: Admin.	213,633	1,500	215,133
10-4200-050	FICA	16,390	115	16,505
Total Increase in Expenditures:			\$11,844	

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

Adopted this the 28th day of June 2021.



 Patsy Carson, Mayor

ATTEST: 

 Lauren Evans, Town Clerk



TOWN OF ERWIN

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

BUDGET ORDINANCE TOWN OF ERWIN FY 2021/2022

BE IT ORDAINED by the Board of Commissioners of the Town of Erwin, North Carolina, that the following revenues and expenditures, together with certain restrictions and authorizations, are hereby adopted.

The following amounts are hereby appropriated for the operations of the Town government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022, as per detailed fund;

GENERAL FUND REVENUES

IT IS ESITMATED THAT THE FOLLOWING REVENUES WILL BE AVAILABLE IN THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022:

AD VALOREM TAXES (CURRENT YEAR)	\$1,103,856.00
AD VALOREM TAXES (MOTOR VEHICLES)	\$175,470.00
SALES AND USE TAX	\$700,000.00
SANITATION FEES	\$410,256.00
OTHER STATE-COLLECTED REVENUES	\$215,000.00
FIRE DESIGNATED TAXES	\$240,807.00
STORMWATER UTILITY FEES	\$69,930.00
POWELL BILL FUNDS	\$138,000.00
TRANSFER FROM OTHER FUNDS	\$100,000.00
FUND BALANCE APPROPRIATED	\$0.00
OTHER	\$192,330.00
TOTAL GENERAL FUND REVENUES	\$3,345,649.00

GENERAL FUND EXPENDITURES

THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED IN THE GENERAL FUND FOR THE OPERATION OF THE MUNICIPAL GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022:

GOVERNING BOARD	\$49,349.00
ADMINISTRATION	\$263,399.00
NON-DEPARTMENTAL	\$321,915.00
INSPECTIONS/CODE ENFORCEMENT	\$106,649.00
POLICE	\$872,835.00
POLICE (SRO)	\$64,030.00
FIRE (CONTRACTED)	\$238,307.00
PUBLIC WORKS- ADMINISTRATION	\$109,004.00
PUBLIC WORKS- STREETS	\$396,994.00
PUBLIC WORKS- SANITATION	\$345,343.00
PUBLIC WORKS- POWELL BILL	\$157,000.00
PUBLIC WORKS- STORMWATER	\$15,000.00
PARKS AND RECREATION	\$329,119.00
LIBRARY	\$69,405.00
COMMUNITY CENTER	\$7,300.00
TOTAL GENERAL FUND EXPENDITURES	\$3,345,649.00

GROUP HEALTH RESERVE FUND REVENUES

IT IS ESITMATED THAT THE FOLLOWING REVENUES WILL BE AVAIALBE IN THE GROUP HEALTH RESERVE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022:

TRANSFER FROM GENERAL FUND: \$14,000.00

TOTAL GROUP HEALTH RESERVE FUND REVENUES: \$14,000.00

GROUP HEALTH RESERVE FUND EXPENDITURES

THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED IN THE GROUP HEALTH RESERVE FUND FOR THE OPERATION OF THE MUNICIPAL GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022:

EMPLOYEE HEALTH REIMBURSEMENTS: \$14,000.00

TOTAL GROUP HEALTH RESERVE EXPENDITURES: \$14,000.00

CAPITAL RESERVE FUND REVENUES

IT IS ESITMATED THAT THE FOLLOWING REVENUES WILL BE AVAILABLE IN THE CAPITAL RESERVE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022:

TOTAL CAPITAL RESERVE FUND REVENUES: \$100,000.00

CAPITAL RESERVE FUND EXPENDITURES

THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED IN THE CAPITAL RESERVE FUND FOR THE OPERATION OF THE MUNICIPAL GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021:

TRANSFER TO GENERAL FUND: \$100,000

TOTAL CAPITAL RESERVE EXPENDITURES; \$100,000

TAX LEVY

There is hereby levied a tax rate of \$0.605 on each \$100 property valuation as listed for taxes as of January 1, 2021, on the tax records of Harnett County. This includes \$.051 tax rate for general services and a \$.095 tax rate for fire protection services.

FEE SCHEDULE

The attached fee schedule, formally the Town of Erwin Fee Schedule for FY 2021-2022, is adopted as part of the annual operating budget, setting fees for various Town services and permits.

JOB CLASSIFCATION AND GRADE SCHEDULE

The attached job classification and grade schedule, formally Town of Erwin Job Classification and Grade 2021-2022, is adopted as part of the annual operating budget, setting the number of positions and grade (rate of pay) for each job classification within each Town Department.

SPECIAL AUTHORIZATION- BUDGET OFFICER

The budget is approved as a departmental budget and the budget officer shall be authorized to reallocate departmental allocations among the various objects of expenditure, as he/she believes necessary. The budget officer shall be authorized to effect interdepartmental transfers in the same fund, not to exceed five percent of the appropriated monies for the department where the allocation is being reduced. Notations of all such transfers shall be made to the Board at the next succeeding Board meeting.

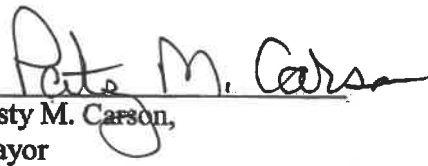
RESTRICTIONS- BUDGET OFFICER

The interfund transfer of monies shall be accomplished by Board authorization only. The utilization of any contingency appropriation shall be accomplished by Board authorization only.


ADOPTION

Copies of the budget ordinance shall be furnished to all appropriate officials of the municipality and kept on file for proper recordation of receipts and disbursement of funds.

ADOPTED by the Board of Commissioners of the Town of Erwin, this 28th day of June 2021.


Pasty M. Carson,
Mayor

ATTEST:


Lauren Evans
Town Clerk

MINUTES CONTINUED FROM JUNE 28, 2021

AMERICAN RESCUE PLAN GRANT PROJECT ORDINANCE

Town Manager Snow Bowden stated that the League of Municipalities has advised the Towns to treat this as a Grant Project Ordinance. Town staff will not spend any money until it is approved by the Board with a more detailed plan. This Ordinance is just to start the process so that we can get our first tranche of seven hundred and fifty-five thousand dollars which can be used for certain things like HVAC units, stormwater projects, and potentially other infrastructure improvements. This money can be audited.

Commissioner Baker made a motion to approve the Proposed Grant Project Ordinance for the American Rescue Plan and the Resolution Accepting the American Rescue Plan to ensure that the Town receives our first payment coming in July and was second by Commissioner Blackmon. **The Board voted unanimously.**

NCGS 160D UPDATES

Town Manager Snow Bowden stated for the Chapters on Subdivision and Minimum Housing, he only included the sections we have to change by the statute. He apologized for the quick turnaround, we had a hard time establishing a quorum for the Planning Board. At our last Planning Board Meeting, we had a quorum established, they had an in-depth conversation, and did recommend the changes for approval. We will probably have more discussion in the near future, there are some more things we can change and he provided a checklist to the commissioners with these possible changes. The main changes are updates in terminology; conditional use is now a special use and updates in definitions.

Commissioner Baker commended the staff on the work that went into making the 160D booklet provided to the Board. He stated it was a very professional approach in providing the updates.

LED SIGN PROPOSED TEXT AMENDMENT

Town Manager Snow Bowden stated we have a Public Hearing scheduled for a text amendment to our Sign Ordinance that would provide LED Signs at Churches, Town Hall, Community

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: June 28, 2021

Subject: American Rescue Plan

Based on a recommendation from the North Carolina Pandemic Recovery Office, I have put together a grant project ordinance for the funds we are expected to receive from the American Relief Plan. The first tranche (payment) is estimated to be \$755,000. The second tranche should be \$755,000 and we should receive that payment one year from the day we receive the first tranche.

These funds will be considered restricted funds because they can only be used for certain expenditures approved by the U.S. Treasury. By setting up a grant project ordinance we can go through multiple budget years. The funds have to be obligated by December 21, 2024, and expended by December 31, 2026.

We need to have this grant project ordinance approved before we can receive our first tranche. Due to the restrictions on what these funds can be used for and our current accounting software system, we have opened up a separate checking account for these funds. These funds will be audited and we can expect to have to pay our auditors a higher fee due to the extra work in regards to these funds.

Town Staff will work with the Erwin Board of Commissioners and seek approval for any expenditures with these funds. There have been a lot more details released on what these funds can be spent on since the law was passed. I would recommend that we have a more detailed discussion in a workshop meeting. Town Staff will not spend any of these funds until we have approval from the Erwin Board of Commissioners.

Attachments:

- Grant Project Ordinance

Action Recommended:

- Approve the proposed grant project ordinance for the American Rescue Plan to ensure the Town gets our first payment sometime in July. We will have a much more detailed discussion before and funds are spent from this grant project ordinance.



TOWN OF ERWIN

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

ORD 2021-2022: 001

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

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

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

American Rescue Plan Initial Allotment	\$755,000
American Rescue Plan Second Allotment	\$755,000
Total	\$1,500,000

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

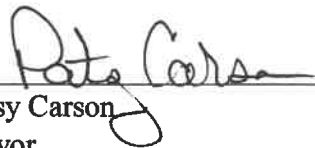
Contracted Services	\$755,000
Miscellaneous Expense	\$755,000
Total	\$1,500,000

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

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


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

Adopted this 28th day of June 2021.



Patsy Carson
Mayor

ATTEST:



Lauren Evans
Town Clerk



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Town of Erwin Resolution for Accepting American Rescue Plan Act Funds

WHEREAS, the Town of Erwin is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF).

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible North Carolina municipalities; and

WHEREAS, before receiving a payment, the Board of Commissioners of the Town of Erwin is required to formally accept the CSLRF funds;

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the Town of Erwin must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Erwin that we do hereby accept and request CSLRF funding to be distributed by the State of North Carolina; and

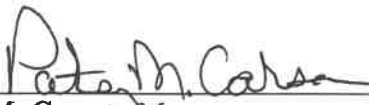
FURTHER RESOLVED that the Town of Erwin affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

FUTHER RESOLVED that the Town of Erwin will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

FURTHER RESOLVED that the Town of Erwin will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

FURTHER RESOLVED that the Board of Commissioners of the Town of Erwin designates and directs the Town Manager and Finance Director to take all actions necessary on behalf of the Board of Commissioners to receive the CSLRF funds.

DULY ADOPTED, on this the 28th day of June, 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: June 28, 2021

Subject: NCGS 160D Updates

The Planning Board has looked over the proposed changes to update our ordinances to be in compliance with North Carolina General Statute 160D. They have recommended that the updates that have to be made to be in compliance with the new legislation be approved. We discussed some other proposed changes as well. Later in the year, I might be bringing some other updates that the Planning Board would like to see changed. But due to the need to get these updates approved, I have only included the changes that have to be made to ensure our ordinance is in line with North Carolina General Statute 160D.

Attachments:

- Proposed updates to our ordinances to be in compliance with North Carolina General Statute 160D (separate packet)
- Checklist from the UNC School of Government

Action Recommended:

- No action is necessary tonight. There is a public hearing scheduled for Thursday, July 1st for these proposed text updates.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: June 28, 2021

Subject: LED Sign Proposed Text Amendment

Town Staff has proposed a text amendment to our sign ordinance. At the moment, LED signs are only permitted in our Highway Business (B-2) Zoning District. Our sign ordinance does allow for Bulletin Board signs to be placed at churches, schools, community centers, and other public institutions. An example of a bulletin board sign is the sign in front of Town Hall. It is an illuminated sign that has an area for a message that is usually made up by placing letters in a row until your message is completed. It is an illuminated sign.

Technology is ever-changing and LED signs are becoming more affordable now and are a lot more practical to use than the former bulletin board sign. With some of these LED signs all, you have to do is log into your account and you can update the sign from anywhere. They allow for an organization to communicate better with the public. Town Staff believes that this is the most minor way to update our sign ordinance to allow LED signs at churches, schools, community centers, and public institutions.

The Planning Board recommended that this proposed text amendment be approved. One thing we discussed was the size of the total sign in proportion to the area of the LED section of the sign. The Planning Board also recommended taking out Subsection D (marked through text) on the proposed new text language. The idea behind it was to allow a school, church, or public institution more flexibility with what they could advertise on the sign.

Attachments:

- Proposed text amendment to allow LED signs as bulletin boards at churches, schools, community centers, and other public institutions

Action Recommended:

- If you would like to have any of the language in this proposed text amendment changed please let me know. **No action** needs to be taken tonight. There is a public hearing scheduled for this proposed text amendment on Thursday, July 1st, 2021.

LED Sign Proposed Text Amendment

Current Language

Section 36-548

11. Bulletin boards: Churches, schools, community centers, and other public and institutional uses may erect one sign or bulletin board not exceeding 20 square feet in area for the purpose of displaying the name of the institution and related information. Such signs shall be used as wall signs or shall be located a minimum of 12 feet from the street lot line and side lot or property lines. Where side yards are required, no such sign shall be permitted in the required side yards.

Section-36-549

- (7) Changeable copy, electronic reader board, and LED signs are permitted only in the B-2 Highway Business Zoning District under the following conditions:
 - a. If changeable copy, electronic reader board, or LED (also referred to as "electronic display") signs are utilized as a part of a permitted freestanding sign, then the total electronic display area of such freestanding sign shall be a minimum of 30 percent and a maximum of 50 percent changeable copy, electronic reader board, or LED signage.
 - b. Electronic reader board or LED signs that display anything other than the time and temperature shall not change messages or images more often than every ten seconds.
 - c. Electronic display signs shall be comparable in composition, durability, and workmanship to the existing sign.
 - d. Electronic display signs shall not advertise subjects unrelated to the premises upon which it is located.
 - e. Display lighting shall be shielded, or dimmed so as to prevent direct rays of light from being cast into a residential area or district and/or vehicles approaching on a public right-of-way from any direction.

Proposed Update

11. Bulletin boards/**LED Signs (Electronic Display Sign)**: Churches, schools, community centers, and other public and institutional uses may erect one sign or bulletin board not exceeding 20 square feet in area for the purpose of displaying the name of the institution and related information. Such signs shall be used as wall signs or shall be located a minimum of 12 feet from the street lot line and side lot or property lines. Where side yards are required, no such sign shall be permitted in the required side yards.

Changeable copy, electronic reader board, and LED signs are permitted only in the B-2 Highway Business Zoning District **and for churches, schools, community centers, and other public institutional uses** under the following conditions:

- a. If changeable copy, electronic reader board, or LED (also referred to as "electronic display") signs are utilized as a part of a permitted freestanding sign, then the total electronic display area of such freestanding sign shall be a minimum of 30 percent and a maximum of 50 percent changeable copy, electronic reader board, or LED signage.
- b. Electronic reader board or LED signs that display anything other than the time and temperature shall not change messages or images more often than every ten seconds.
- c. Electronic display signs shall be comparable in composition, durability, and workmanship to the existing sign.
- d. ~~Electronic display signs shall not advertise subjects unrelated to the premises upon which it is located.~~
- e. Display lighting shall be shielded, or dimmed so as to prevent direct rays of light from being cast into a residential area or district and/or vehicles approaching on a public right-of-way from any direction.

MINUTES CONTINUED FROM JUNE 28, 2021

Buildings and Schools. LED readers are getting cheaper and more efficient. The Erwin Elementary School will need an LED sign outside of the school, this addresses that.

PROPOSED 4-WAY STOP SIGN

Town Manager Snow Bowden stated that there have been a lot of complaints about speeding on St Matthews Road and Wondertown Drive. Initially, we thought about putting a 4-way stop at Hope Street and Wondertown Drive but at the Planning Board Meeting, we decided it would be best to recommend a 4-way stop at St Matthews Road and Wondertown Drive. We also discussed putting a three-way stop at Pope Street and St Matthews Road. Staff would like to strongly recommend the 4-way stop at St Matthews Road and Wondertown Drive. If this is approved, we will put warnings ahead of time as DOT does. He stated he and Chief Johnson think it would help with the speeding out there.

Mayor Carson stated she thinks it is a great idea and that 4-way stops help makes the traffic run smoothly.

Commissioner Baker stated that he spoke with multiple people in the area and they are all for it. People are pulling out and passing cars. He expressed his appreciation to Chief Johnson for all he and his guys have done to patrol those roads but he knows they cannot stay out there all the time. He insured the Board that the people in the area will welcome the 4-way stop. He stated he thinks the 4-way stop at St Matthews Road and Wondertown Drive and the three-way stop at Pope Street and St Matthews Road are both needed.

ZT-2021-005

Town Manager Snow Bowden informed the Board that this request is for a parcel in our Planning Zone. He stated he is going to call and verify the second location but currently the applicant has only requested one location for his home. This property is in the five-hundred-year flood plain and the one-hundred-year flood plain. The applicant wants to build a house in the five-hundred-year flood plain. He stated the applicant only mentioned one home.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: June 28, 2021

Subject: Proposed 4-Way Stop Sign

At our June Planning Board meeting, we discussed making St. Matthews Road and Hope Street a four-way stop intersection. The Planning Board did not see the need to make this a four-way stop intersection. They thought speed bumps would be enough to slow people down. They did recommend making the intersection of St. Matthews Road and Wondertown Drive a four-way stop intersection. We also discussed making the intersection of St. Matthews Road and Pope Street a three-way stop intersection. This is one area in Town where we receive the most speeding complaints.

Action Recommended:

- No action is needed tonight.
- Public Hearing is scheduled for July 1st 2021.

MINUTES CONTINUED FROM JUNE 28, 2021

Commissioner Baker asked how the applicant plans to get to it unless he has an easement off of someone else's property. That has nothing to do with the rezoning request but instructed Town Manager Snow Bowden to verify he has legal access to the property.

Town Manager Snow Bowden stated before our Meeting on Thursday would get some clarification on how the property is accessed and the second house.

ELECTION UPDATES

Town Manager Snow Bowden informed the Board that Senate Bill 722 became law last Friday, June 25th. The Governor did not sign the bill but it stayed on his desk long enough that it became law. Our Commissioner election is being delayed until March 2022. We can have the Mayor election as scheduled in October but there will be additional costs to the Town to have two elections. It all depends on when we get our census data done and our maps are redrawn. If we get the districts approved by November 17th, the filing period will be from December 6 - December 17, 2021. If we cannot get the maps redrawn until December 17th, the filing period will be from January 3-January 7, 2022.

Commissioner Blackmon stated it would be up to Mayor Carson on what she wants to do.

Mayor Carson stated she wouldn't want the Town to spend more money and she feels it would be best to wait and do the election all at once.

Town Manager Snow Bowden thanked the Board for their time.

Mayor Carson stated she will not be able to be at the Special Called Meeting on Thursday, July 1st.

Commissioner McKoy stated that stated a lady approached him and was complaining about the ditch in front of her home, she stated that the ditch used to be maintained by the Town.

Town Manager Snow Bowden stated that is on private property and stated he will call her.

Commissioner McKoy stated at the house on the corner, at the end of his road, people gather up there every weekend and speed up and down the road in front of his house.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: June 28, 2021

Subject: ZT-2021-005

The Town of Erwin has received an application to have a parcel rezoned. The parcel can be identified by its address 142 Riverview Road. It can also be identified by its Harnett County Tax PIN # 0587-81-7777.000. This parcel is in our ETJ. This property is currently in two zoning districts which are our Rural District (RD) and our Conservation District. This property is in the 500-year flood plain and the 100-year flood plain. Based on data from Harnett County GIS the area of this property that is zoned in our Conservation District goes beyond the 100-year flood plain into the 500-year flood plain.

The applicant is requesting that the Town move the section of this parcel (in the 500-year flood plain) into our Rural District Zoning District. The applicant does not want to subdivide this parcel. They just want to build a single-family dwelling on this parcel in an elevated section of this property. The applicant is fine with keeping the section of this parcel in the 100-year flood plain in the Conservation Zoning District.

At the June Planning Board meeting, we discussed the proposed house location. The applicant stated that the location he wanted to place the home passed a perk test and could have a septic tank. The Planning Board recommended this rezoning request be approved. They adopted a statement of consistency.

Attachments:

- ZT-2021-005 Application
- ZT-2021-005 Staff Report
- ZT-2021-005 Property Owners Notified
- ZT-2021-005 Harnett County GIS Image (No Zoning)
- ZT-2021-005 Harnett County GIS Image (Zoning)
- Planning Board Statement-of-Consistency

paid

Revised 9-19-2014



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

Staff Only: Zoning Case # Z-2021-0095
Fee: 300 Check # 1491 MO Cash _____
PB Recommendation: A D A/W Conditions _____
BOC Date: _____ Decision: A D T A/W Conditions _____

Print Applicant Name: Bryan Sharpe
Name of Legal Property Owner: Lassiter Heirs / Bryan Sharpe
Location of Property: 142 rivercreek rd, Erwin

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

Zoning change requested from conservation to rural
If Conditional District, note conditions: _____
Harnett County Tax Map PIN 0587-81-7777
Property owner(s) of area requested and address(es)

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

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

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

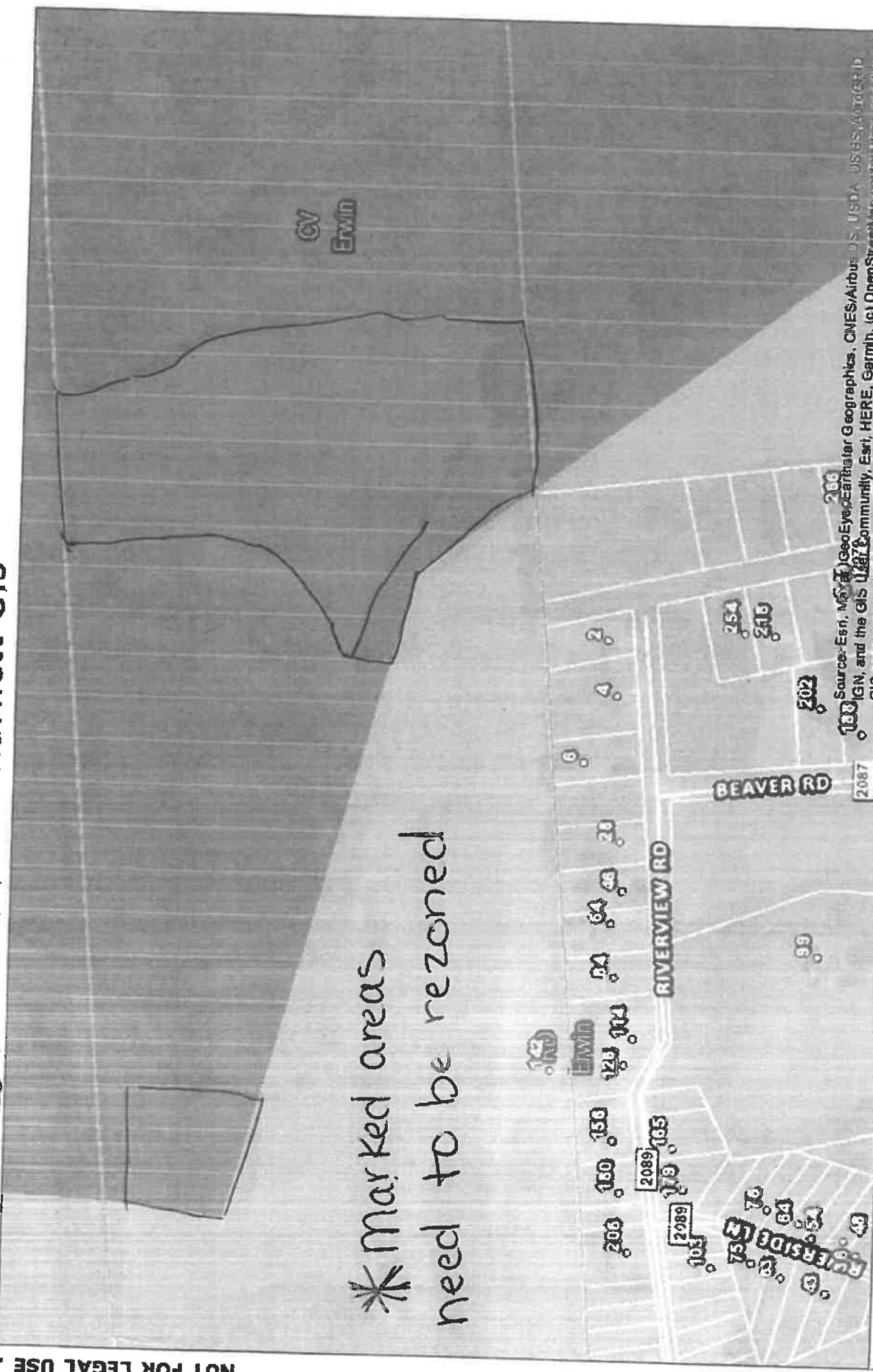
It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed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

Signature of Applicant 910-985-1139
Contact Number
2501 Ashe Ave Dunn NC 28334
Mailing Address of Applicant

INVESTMENTS IN THE KNOWLEDGE HARNETT GIS

NOT FOR LEGAL USE

*Marked areas need to be rezoned



Source: Esri, Microsoft, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Harnett County GIS, Harnett County Public Utilities

Harnett
COUNTY

GIS/E-911 Addressing
May 24, 2021



FUTURE HOME SITES

Harnett GIS

NOT FOR LEGAL USE



Harnett COUNTY
 GIS/E-911 Addressing
 May 24, 2021

Recycle Center
 Landfills
 Surrounding County Boundaries
 Federal Property
 City Limits

Harnett County Boundary
 Address Numbers
 Major Roads
 Interstate

NC
 US
 Roads
 Mile Markers
 Railroad

0 165 330 660 Feet
 1 inch = 376 feet

N
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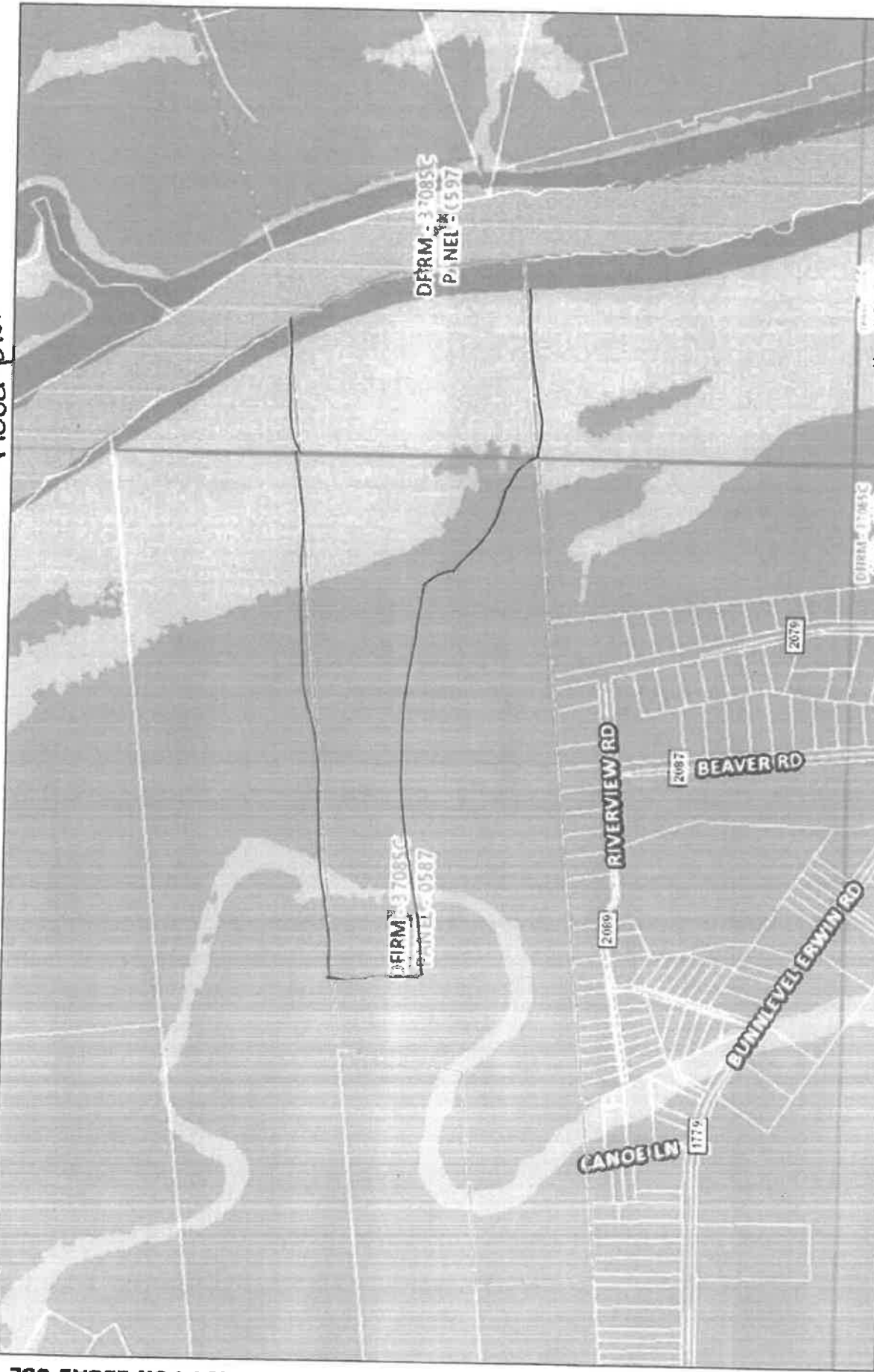
Source: Esri, DeLorme, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, AeroGRID, IGN, and the GIS User Community
 ESRI HERE Garmin © 1999-2013
 © 2013 Harnett County GIS, Harnett County Public Works

in light pink

conservation

Harnett GIS

flood plain



Harnett County GIS, Harnett County Public Utilities

Harnett County GIS

Harnett County Boundary

US

Recycle Center

Landfills

Surrounding County Boundaries

Federal Property

City Limits

Airport

Major Roads

Interstate

NC

Roads

Mile Markers

Railroad

Parcels

Harnett COUNTY

GIS/E-911 Addressing

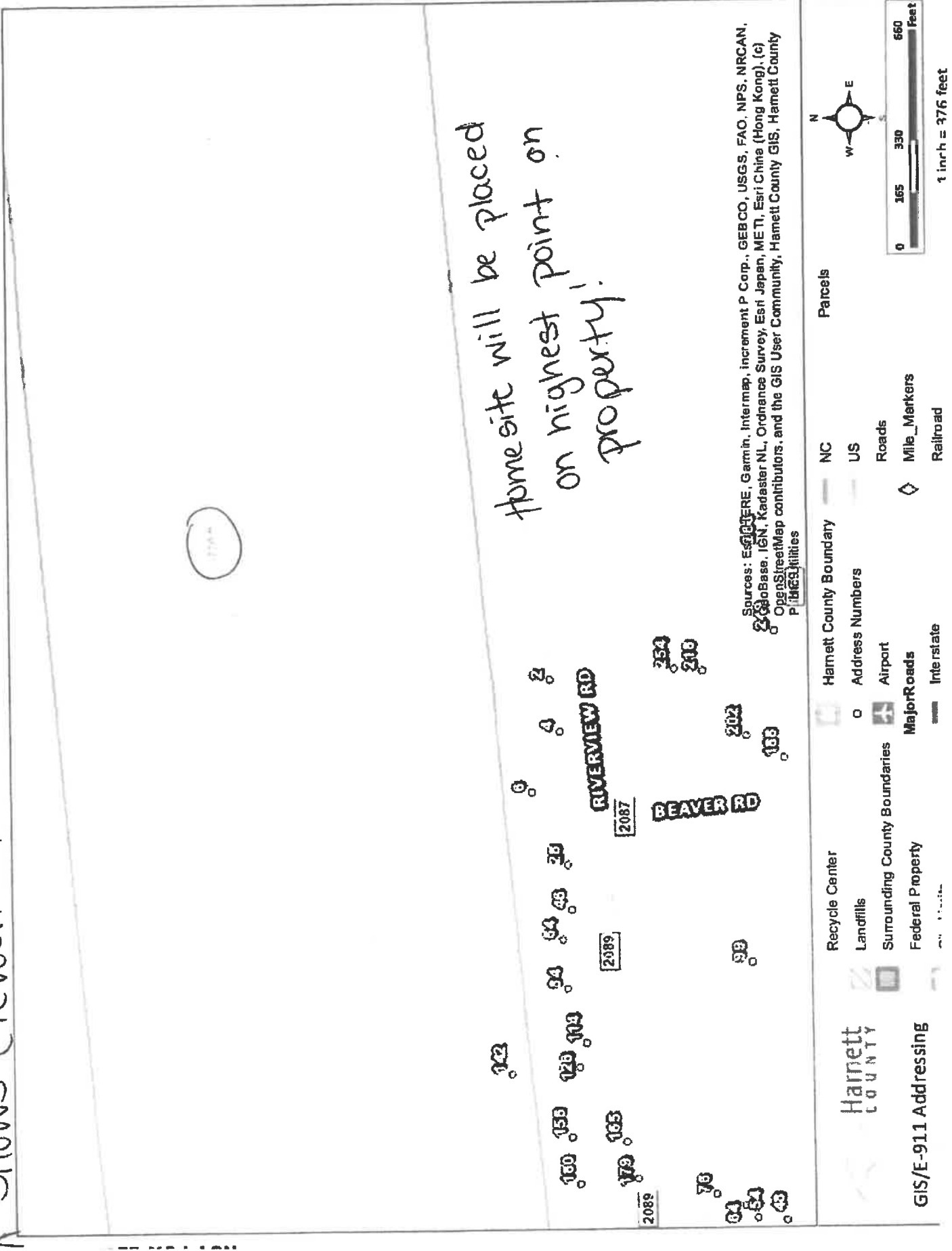
May 10, 2021

0 335 670 1,340 Feet

1 inch = 752 feet

* Shows elevation

Harnett GIS





REZONING MAP REQUEST STAFF REPORT

Case: ZT-2020-05

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

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

Planning Board: 06/21/2021

Town Commissioners: 07/01/2021

Requested zoning map amendment to a vacant parcel at 142 Riverview Road with corresponding Harnett County Tax PIN # 0587-81-7777.000. The applicant has requested that the area that he would like to build his home in be rezoned from Conservation to Rural District (RD).

Applicant Information

Owner of Record:

Name: Mark Timothy Lassiter and Richard Max Lassiter

Address: 4409 Meeting House Drive
City/State/Zip: Greensboro, NC 27410

Applicant:

Name: Bryan Sharpe

Address: 2501 Ashe Avenue
City/State/Zip: Dunn, NC 28334

Property Description

Harnett County Tax PIN 0587-81-7777.000.

Acres 100.04

Zoning District- Conservation 60.5 acres (60.48%) and Rural District 39.54 acres (39.52%)

Vicinity Map

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

Physical Characteristics

Site Description: This is a vacant parcel that is 100.04 acres based on Harnett County GIS data. There is a Harnett Regional Water sewer line that is on the property. Based on Harnett County GIS data there are water lines in the area. I do not know how they could gain access to a water line without going on private property. The entire parcel is in a FEMA flood hazard zone. Most of the parcel is in the 500-year flood plain. There are sections of this parcel that are in the 100-year flood plain. The area near the river is in the 100-year flood plain.

Surrounding Land Uses: This parcel is surrounded by mostly residential land uses. There are areas that have been zoned conservation due to being in a flood plain and near the river.

Services Available

- Harnett County Regional Sewer is available for this parcel. There is water in the area but I am unsure of how they could connect to the system.
- Duke Energy/South River would provide electricity
- CenturyLink is the telephone provider

Staff Evaluation

This is a vacant parcel that is off of the Cape Fear River. The entire lot is in a FEMA flood hazard zone. Most of the lot is in the 500-year flood plain. The area near the Cape Fear River is in the 100-year flood plain. This is a large lot and the majority of the lot has been zoned conservation. The applicant is not asking for the entire lot to be rezoned. They just want the conservation district moved back to just the 100-year flood plain. Where they want to build their house it appears to fall within the conservation district. According to the applicant this is the highest point of the property. This lot is in our ETJ. The applicant plans on building one home on this lot. If they build in the 500-year flood plain they do not have to get flood insurance or elevate the home outside of the flood zone.

Attachments:

- ZT-2020-005 Application
- ZT-2020-005 Staff Evaluation
- Harnett County GIS zoning district image
- Harnett County GIS image
- Harnett County GIS image flood plains
- Surrounding property owners notified
- Statement-of-Consistency
- Statement-of-Inconsistency

Mark Timothy Lassiter
Richard Max Lassiter
4409 Meeting House Drive
Greensboro, NC 27410

Roy Byrd Family Limited Partnership
8136 US 401 South
Bunnlevel, NC 28323

Genesis Farms, LLC.
PO Box 547
Stedman, NC 28391

Rita Johnson
Jesse Johnson
143 Colonade Court
Benson, NC 27504

James and Peggy Covington
4307 Bunnlevel Erwin Road
Erwin, NC 28339

Cory McNeill
1720 Community Drive
Fayetteville, NC 28312

Stepanie Waring
PO Box 347
Erwin, NC 28339

Mary P Waring
Shanetta Monk
4 Riverview Road
Erwin, NC 28339

Ada McLean
6 Riverview Road
Erwin, NC 28339

Getts and Ethel Waring
104 Andrew Street
Springfield, MA 01109

Maritza Gonzalez
28 Riverview Road
Erwin, NC 28339

Sabrina Hurley
46 Riverview Road
Erwin, NC 28339

Janet McLean
PO Box 208
Erwin, NC 28339

Phyllis McNeil
84 Riverview Road
Erwin, NC 28339

Robert and Sharon McKoy
126 Riverview Road
Erwin, NC 28339

Gwendolyn Jones
156 Riverview Road
Erwin, NC 28339

Isabelle Smith
180 Riverview Road
Erwin, NC 28339

Dorothy Smith
412 West Godwin Street
Dunn, NC 28334

Chakua Monique McLean
206 Riverview Road
Erwin, NC 28339

George and Shirley Smith
PO Box 277
Erwin, NC 28339

Roger Brown
PO Box 234
Erwin, NC 28339

Shona Gevonna Smith
PO Box 277
Erwin, NC 28339

Mary McLean
PO Box 791
Erwin, NC 28339

Gabriel Morris Smith
8900 Springs LN
APT D
Norcross, GA 30092

Sharon Elaine McNeill
4479 Bunnlevel Erwin Road
Erwin, NC 28339

David McNeill
Ursula Giles
521 Harris Road
Wilmington, NC 28411


Anthony and Sherry Smith
117 Jackson Road
Dunn, NC 28334

Stephen McNeill
5390 Titan Roberts Road
Erwin, NC 28339

Harnett GIS




NOT FOR LEGAL USE .




Harnett COUNTY
NORTH CAROLINA

GIS/E-911 Addressing
May 27, 2021



N
W E
S



0 335 670 1,340 Feet
1 inch = 752 feet

Recycle Center

Landfills

Surrounding County Boundaries

Federal Property

City Limits

US

Roads

Mile_Markers

Railroad

Parcels

Harnett County Boundary

Airport

MajorRoads

Interstate

NC

Harnett County Boundary

Airport

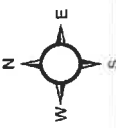
MajorRoads


Interstate

NC

Harnett GIS







 1 inch = 752 feet

US

 Roads

 Mile_Markers

 Railroad

 Parcels

Harnett County Boundary

 Airport

 MajorRoads

 Interstate

 NC

Recycle Center

 Landfills

 Surrounding County Boundaries

 Federal Property

 City Limits



Harnett

 COUNTY

NORTH CAROLINA

 GIS/E-911 Addressing

 May 27, 2021

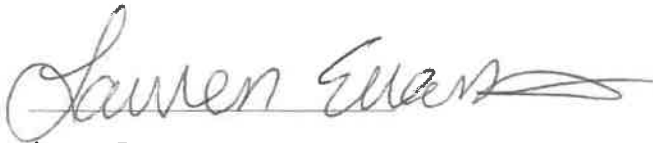
NOT FOR LEGAL USE

Statement-of-Consistency

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

A handwritten signature in black ink, appearing to read "Ronald Beasley", with a long horizontal flourish extending to the right.

Ronald Beasley
Planning Board Chair

A handwritten signature in black ink, appearing to read "Lauren Evans", with a long horizontal flourish extending to the right.

Lauren Evans
Town Clerk

2021 Local Election Update

Senate Bill 722 became law last Friday (June 25th) without the Governor's signature. This new legislation will delay our local 2021 election till 2022. The election this year included the following seats: Mayor, Ward 1, Ward 3, and Ward 5. If the Town Board chooses to do so we can still hold the election for the Mayor seat on its originally scheduled date. If we want to do that we will have to send the Harnett County Board of Elections a letter stating that is our desire by July 19, 2021. There would be an additional costs to do this instead of just having one election.

Timeline:

- The filing period for the delayed election depends on how quickly the municipality can adopt a new redistricting plan. The affected municipalities must notify their county board of elections by November 12, 2021, as to whether the municipality will be able to revise their electoral districts by November 17, 2021.
 - If they can revise the districts by November 17, 2021, the filing period is noon on December 6, 2021, through noon on December 17, 2021.
 - If they cannot revise the districts by November 17, 2021, the municipality must provide the new districts to the county board by December 17, 2021, and the filing period is noon on January 3, 2022, through noon on January 7, 2022.
 - Election on March 8, 2022
 - Runoff on April 26, 2022, or May 17, 2022 if a federal second primary is held

Dear Directors and staff,

Session Law 2021-56 (Senate Bill 722) became law today without the Governor's signature. Below is a summary of the law, as well as answers to frequently asked questions. All counties should review this guidance in its entirety as provisions within the law affect all counties, not just those with municipalities that elect by district. Please let us know if you have questions. I have attached this guidance to this email along with the text of the law.

Delay of Certain Municipal Elections to 2022 (Sections 1.(a) through 1.(f))

Senate Bill 722 moves elections for municipalities that elect by district to 2022, under the following schedule by election method:

- Partisan primary and election method:
 - Primary on March 8, 2022
 - No second primary in 2022
 - General election on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Charlotte (Mecklenburg)*
 - Sanford (Lee)*
- Nonpartisan primary and election method:
 - Primary on March 8, 2022
 - General election on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Fayetteville (Cumberland)*
 - Greensboro (Guilford)*
 - Hickory (Burke, Catawba)*
 - Mooresville (Iredell)*
- Nonpartisan plurality method:
 - General election on March 8, 2022
 - Affected municipalities:
 - Ahoskie (Hertford)*
 - Clinton (Sampson)*
 - Edenton (Chowan)*
 - Enfield (Halifax)*
 - Greenville (Pitt)*
 - Jacksonville (Onslow)*
 - Kings Mountain (Cleveland, Gaston)*
 - Laurinburg (Scotland)*
 - Lexington (Davidson)*
 - Long View (Burke, Catawba)*
 - Lumberton (Robeson)
 - Mount Olive (Duplin, Wayne)*
 - Plymouth (Washington)*
 - Princeville (Edgecombe)*
 - Roanoke Rapids (Halifax)*
 - Siler City (Chatham)*
 - Smithfield (Johnston)*

- St. Pauls (Robeson)
- Tarboro (Edgecombe)*
- Whiteville (Columbus)*
- Wilson (Wilson)
- Election and runoff method:
 - Election on March 8, 2022
 - Runoff on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Cary (Chatham, Wake)*
 - Elizabeth City (Camden, Pasquotank)*
 - Erwin (Harnett)*
 - Henderson (Vance)
 - New Bern (Craven)*
 - Rocky Mount (Edgecombe, Nash)
 - Statesville (Iredell)*

Mayors and council members who are serving on councils that are delayed to 2022 will serve until a successor is elected and sworn into office in 2022. The individual certified as the winner of the 2022 election may be sworn into office at any time after issuance of the certificate of election.

The filing period for the delayed election depends on how quickly the municipality can adopt a new redistricting plan. The affected municipalities must notify their county board of elections by November 12, 2021, as to whether the municipality will be able to revise their electoral districts by November 17, 2021.

- If they can revise the districts by November 17, 2021, the filing period is noon on December 6, 2021, through noon on December 17, 2021.
- If they cannot revise the districts by November 17, 2021, the municipality must provide the new districts to the county board by December 17, 2021, and the filing period is noon on January 3, 2022, through noon on January 7, 2022.

***Exception for at-large contests in the affected municipalities (Section 1.9):** If one of the affected municipalities normally has an at-large contest on the ballot in 2021 (mayoral or at-large council races), it can opt to hold those at-large contests on its regular election date in 2021 if the municipality notifies the county board of elections by July 19, 2021. The following contests could be subject to this exception:

- Town of Ahoskie Council Member At-Large (1 seat)
- Town of Cary Town Council At-Large (1 seat)
- City of Charlotte Mayor and City Council At-Large (4 seats)
- City of Clinton Mayor
- Town of Edenton Council Member At-Large (1 seat)
- City of Elizabeth City Mayor
- Town of Enfield Mayor
- Town of Erwin Mayor
- City of Fayetteville Mayor
- City of Greensboro Mayor and City Council At-Large (3 seats)
- City of Greenville Mayor and City Council At-Large (1 seat)
- City of Hickory Mayor
- City of Jacksonville Council Member At-Large (2 seats)

- City of Kings Mountain City Council At-Large (1 seat)
- City of Laurinburg City Council Member At-Large (1 seat)
- City of Lexington Mayor
- Town of Long View Mayor
- Town of Mooresville Mayor and Commissioner At-Large (1 seat)
- Town of Mount Olive Mayor and Commissioner At-Large (1 seat)
- City of New Bern Mayor
- Town of Plymouth Mayor
- Town of Princeville Mayor
- City of Roanoke Rapids Mayor
- City of Sanford Mayor and Council Member At-Large (1 seat)
- Town of Siler City Mayor and Town Commissioner At-Large (1 seat)
- Town of Smithfield Mayor
- City of Statesville Mayor and Councilman At-Large (2 seats)
- Town of Tarboro Mayor
- City of Whiteville Mayor

County Board of Commissioners Redistricting (Section 1.4) – AFFECTS ALL COUNTIES

This section provides that a county board of commissioners must adopt a new redistricting plan by November 17, 2021, and the resolution becomes effective at that time. The effect of this provision is that it takes the place of the current statutory process for county commissioner redistricting, which requires a board of commissioners to adopt a redistricting resolution at least 150 days before the day of the primary. This would have required a county board of commissioners to adopt their new districts by October 9, 2021, which would have been virtually impossible if the county doesn't receive Census data until late September 2021.

Voter Registration Between First and Second Primaries (Section 1.5) – AFFECTS ALL COUNTIES

For 2022 only, this law permits voter registration between the first and second primaries. Voters still may not change their party affiliation or unaffiliated status between the first and second primaries.

Generally, voter registration is not permitted between a first and second primary. However, because municipal general elections are held in 2022 on the same date as a potential second primary for other statewide contests, this provision addresses the complication that some voters would be eligible to vote in the municipal election who would not be eligible to vote in the second primary held on the same day.

Charlotte-Mecklenburg Board of Education (Section 1.6)

If Census data is not received by July 19, 2021, this law delays the election for the Charlotte-Mecklenburg Board of Education to November 8, 2022, upon the adoption of a resolution by the school board by July 26, 2021. The filing period would begin at noon on July 25, 2022, and end at noon on August 12, 2022.

Lexington City Board of Education (Section 1.7)

If Census data is not received by July 19, 2021, this law delays the election for the Lexington City Board of Education to November 8, 2022, upon the adoption of a resolution by the school board by July 26, 2021. The filing period would begin at noon on July 25, 2022, and end at noon on August 12, 2022.

City of Raleigh Permanent Election Changes (Section 1.8)

This section permanently changes the method of election for the City of Raleigh from the nonpartisan election and runoff method to the nonpartisan plurality method, and moves those elections from odd-numbered years to even-numbered years. The 2022 municipal election will be held on November 8, 2022, and filing begins at noon on July 1, 2022, and ends at noon on July 15, 2022. This section also requires the City of Raleigh to adopt new electoral districts by March 31, 2022.

Frequently Asked Questions

Q: Does this law automatically delay mayoral contests if the municipality elects its town council by district, even though everyone in the town can vote for the office of mayor?

A: Yes, this law automatically delays the at-large contests (including mayor and at-large town council contests) in municipalities that would have elected at least one town office by district in 2021. If a town wishes to hold its at-large contests in 2021, it must adopt a resolution and notify the county board of elections by July 19, 2021.

Q: Does a city have the authority to hold an ABC election in 2021 if the municipal election for that town is delayed to 2022?

A: No, a city may not hold an ABC election in 2021 if its municipal election was delayed to 2022 unless the city has an at-large election that would normally be held in 2021 and it decides by July 19 to hold that election on its regular schedule. Otherwise, G.S. 18B-601(f) provides that the board of elections must conduct and set the date for the alcoholic beverage election in accordance with G.S. 163-287, which provides that the election can only be held on one of the following dates:

- At the same time as any other State or county general election.
- At the same time as the primary election in any even-numbered year.
- At the same time as any other election requiring all the precincts in the county to be open.
- At the same time as a municipal general election, if the special election is within the jurisdiction of the municipality only.

Q: Does this law affect municipal school board, sanitary district, or other local elections, if those entities elect by district?

A: Not necessarily. In general, this law only affects municipal elections, not school boards or other local elections. However, if the language of the charter or session law states that the election for that entity is to be held on the same date as the municipal election, that election may also be delayed to 2022. Please contact legal@ncsbe.gov if you think this may apply to a local election in your county.

Q: A small municipality in my county does not elect by district and is concerned about the cost of having its election in 2021 when a larger municipality's election in the county has been moved to 2022. Can the small municipality postpone its election? What other options does it have?

A: The small municipality may not move its election from 2021 because, absent a local act, there is no statutory authority to do so for municipalities that do not elect by district. The municipality could decide to eliminate absentee voting (this includes absentee by mail and early voting). Pursuant to G.S. 163-302, a municipality may authorize (or deauthorize) absentee voting by resolution. Such resolution must be adopted no later than 60 days prior to an election in order to be effective for that election. Any such resolution shall remain effective for all future elections unless repealed no later than 60 days before an election.

Please feel free to share this guidance with anyone who may be affected, including town managers/clerks/attorneys, etc.

MINUTES CONTINUED FROM JUNE 28, 2021

Town Manager Snow Bowden stated he will make sure a Police Officer is stationed down that way on the weekend.

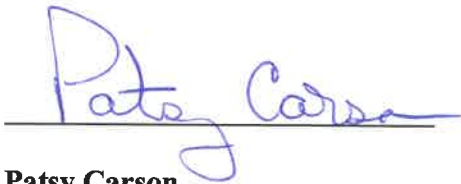
ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 6:24 P.M. and was seconded by Commissioner Baker. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

LAUREN EVANS TOWN CLERK

ATTEST:

A handwritten signature in blue ink that reads "Patsy Carson" written over a horizontal line.

Patsy Carson

Mayor

A handwritten signature in blue ink that reads "Lauren Evans" written over a horizontal line.

Lauren Evans

Town Clerk