

**THE ERWIN BOARD OF COMMISSIONERS
AUGUST 2022 REGULAR MEETING
THURSDAY, AUGUST 4, 2022 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARDROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance

2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**

3. **CONSENT**

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

 - A. Minutes of Workshop on June 27, 2022 (Page 2)
 - B. Minutes Regular Meeting on July 14, 2022 (Page 6)
 - C. Financial Report for June 2022 (Page 10)
 - D. Resolution of Support (Page 12)
 - E. Community Building Sign (Page 13)
 - F. **Truist Resolution for Deposit Account**

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. **PROCLAMATION OF RECOGNITION OF OUTGOING PLANNING BOARD MEMBER
MICHAEL SHEAN**

6. **PUBLIC HEARING**
 - A. ZT-2022-004 (Page 15)

7. **NEW BUSINESS**
 - A. ~~Bryant Road Subdivision Preliminary Plat (Page 39)~~
 - A. Discussion of Erwin Rail Trail

8. **MANAGER'S REPORT**

9. **ATTORNEY'S REPORT**

10. **GOVERNING BODY COMMENTS**

11. **ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS**REGULAR MINUTES****AUGUST 4, 2022****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Randy Baker presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, August 4, 2022, at 7:00 P.M. in Erwin, North Carolina.

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

Board Members absent were: Mayor Pro Tem Ricky Blackmon

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

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

Commissioner McKoy gave the invocation.

Commissioner McKoy led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to add under consent as Item F, Truist Resolution for Deposit Account. He also requested to remove Item A under New Business: Bryant Road Subdivision Preliminary Plat, in order to clarify a few things with the developer.

Commissioner Turnage requested to add Discussion of Erwin Railtrail under New Business as Item A.

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

CONSENT

Commissioner McKoy made a motion to approve **(ITEM A)** Minutes of Regular Workshop on June 27, 2022 **(ITEM B)** Minutes of Regular Meeting on July 14, 2022 **(ITEM C)** Financial Report for June 2022 **(ITEM D)** Resolution of Support **(ITEM E)** Community Building Sign **(ITEM E)** Truist Resolution for Deposit Account and was seconded by Commissioner Turnage. **The Board voted unanimously.**

TOWN OF ERWIN
FINANCIAL SUMMARY REPORT
FOR MONTH OF June 2022



REVENUES	ANNUAL BUDGET	June '22 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,163,679.00	21,977.00	1,179,180.00	101.33%
CURRENT YEAR MOTOR VEHICLE TAXES	175,470.00	19,110.00	175,813.00	100.20%
PRIOR YEAR TAXES / Penalties & Interest	10,000.00	1,975.00	20,008.00	200.08%
UTILITIES FRANCHISE TAXES	190,000.00	52,063.00	187,895.00	98.89%
ENTRY FEES	19,000.00	420.00	21,286.00	112.03%
SALES & USE TAX	702,000.00	84,078.00	891,215.00	126.95%
ZONING PERMITS/APPLICATIONS	8,000.00	300.00	14,360.00	179.76%
REFUSE COLLECTIONS FEES	410,256.00	36,513.00	450,920.00	109.91%
STORM WATER COLLECTION	69,930.00	5,123.00	62,468.00	89.33%
ALL OTHER REVENUES	788,822.00	28,237.00	644,834.00	81.75%
	3,637,157.00	249,796.00	3,647,998.00	103.13%
EXPENDITURES	ANNUAL BUDGET	June 2022 ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	47,945.00	1,803.00	22,491.00	46.91%
ADMINISTRATION	253,399.00	18,169.00	241,726.00	91.77%
NON-DEPARTMENTAL	306,319.00	24,399.00	301,252.00	98.35%
PLANNING & INSPECTIONS	67,369.00	138.00	10,695.00	15.88%
POWELL BILL-STREETS	227,780.00	169,525.00	225,954.00	99.20%
POLICE	1,008,843.00	62,127.00	948,614.00	94.03%
POLICE-SRO	64,030.00	4,776.00	62,247.00	97.22%
CONTRACT SERVICES-FIRE	264,307.00	12,147.00	264,167.00	99.95%
PUBLIC WORKS-ADMIN.	119,004.00	9,277.00	115,531.00	97.08%
PUBLIC WORKS-STREETS	391,994.00	31,802.00	319,185.00	81.43%
PUBLIC WORKS-SANITATION	335,343.00	24,866.00	288,321.00	85.98%
PUBLIC WORKS-STORM WATER	15,000.00	6,833.00	12,866.00	86.57%
RECREATION	349,119.00	32,815.00	326,076.00	93.40%
LIBRARY	69,405.00	4,480.00	66,558.00	95.90%
COMMUNITY CENTER	7,300.00	423.00	5,355.00	73.36%
	3,637,157.00	403,580.00	3,211,158.00	90.78%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		(153,784.00)	436,840.00	

BANK BALANCES AS OF June 2022		
NC Capital Mgt Trust - Cash Management		2,734,579.20
BB&T CASH IN BANK		141,224.20
FIRST FEDERAL PRESTIGE - BUSINESS MONEY MARKET		136,841.25
FIRST FEDERAL PREMIUM - BUSINESS MONEY MARKET		868,301.56
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS		3,870,946.20
TRUISIT - STATE FORFEITURE		5,151.81
TRUISIT - CAPITAL RESERVE/COMM. ENHANCEMENT		215,484.11
FIRST FEDERAL CAP - RESERVE/GENERAL		2,353,690.77
TRUISIT - HEALTH RESERVE HRA ACCT.		21,864.71
TRUISIT - PRIEBE FIELD ACCT.		22,905.75
AL WOODALL PARK IMPROVEMENTS		388,175.66
TRUISIT - AMERICAN RELIEF FUNDS - (ARPA) Federal Grant		593,901.34
TRUISIT - Community Building Renovation - (SCIF) State Grant		93,118.12
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS		3,694,192.27
CUMULATIVE BALANCE FOR TOWN OF ERWIN		7,565,138.47

POWELL BILL BALANCE
 \$ 220,241.32

Town Of Erwin
 Financial Summary Report
 YTD Comparison of June 2021 and 2022



	YTD		YTD	DIFFERENCE	YTD	
	Jun-22	Jun-21			Jun-22	Jun-21
Revenues						
CURRENT YEAR LEVY OF PROPERTY TAXES	1,179,180.00	1,160,178.00	19,002.00			
CURRENT YEAR MOTOR VEHICLE TAXES	175,813.00	183,578.00	(7,765.00)			
PRIOR YEAR TAXES / Penalties & Interest	20,008.00	30,800.00	(10,792.00)			
UTILITIES FRANCHISE TAXES	187,895.00	187,518.00	377.00			
ENTRY FEES	21,285.00	11,475.00	9,810.00			
SALES & USE TAX	891,215.00	789,770.00	101,445.00			
ZONING PERMITS/APPLICATIONS	14,380.00	16,325.00	(1,945.00)			
REFUSE COLLECTIONS FEES	450,920.00	447,667.00	3,253.00			
STORM WATER COLLECTION	62,468.00	60,681.00	1,787.00			
ALL OTHER REVENUES	644,834.00	794,573.00	(149,739.00)			
	\$ 3,647,998.00	\$ 3,682,565.00	(34,567.00)			
Expenditures						
GOVERNING BODY	22,491.00	22,916.00	(425.00)			
ADMINISTRATION	241,726.00	263,830.00	(22,104.00)			
NON-DEPARTMENTAL	301,252.00	264,019.00	37,233.00			
PLANNING & INSPECTIONS	10,695.00	33,601.00	(22,906.00)			
POWELL BILL-STREETS	225,954.00	164,235.00	61,719.00			
POLICE	948,614.00	802,114.00	146,500.00			
POLICE-SRO	62,247.00	75,455.00	(13,208.00)			
CONTRACT SERVICES-FIRE	264,167.00	253,033.00	11,134.00			
PUBLIC WORKS-ADMIN.	115,531.00	102,412.00	13,119.00			
PUBLIC WORKS-STREETS	319,185.00	251,090.00	68,095.00			
PUBLIC WORKS-SANITATION	288,321.00	345,801.00	(57,480.00)			
PUBLIC WORKS-STORM WATER	12,986.00	13,845.00	(859.00)			
RECREATION	326,076.00	289,534.00	36,542.00			
LIBRARY	66,558.00	64,482.00	2,076.00			
COMMUNITY CENTER	5,355.00	12,517.00	(7,162.00)			
	\$ 3,211,158.00	\$ 2,958,884.00	252,274.00			

BANK ACCOUNT BALANCES			
	YTD	YTD	YTD
	Jun-22	Jun-21	Jun-21
CASH MANAGEMENT	2,734,579.20		1,929,976.78
BB&T CASH IN BANK	141,224.20		332,264.27
FIRST FEDERAL BUSINESS M	136,841.25		136,533.43
FIRST FEDERAL MONEY MARKET	858,301.55		856,586.66
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,870,946.20		\$ 3,255,361.14
BB&T STATE FORFEITURE	5,151.81		4,246.64
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	215,484.11		189,023.55
FIRST FEDERAL CAP. RESERVE/GENERAL	2,353,590.77		2,348,888.31
BB&T HEALTH RESERVE HRA ACCT.	21,864.71		17,420.93
PRIEBE FIELD ACCT.	22,905.75		9,922.53
AL WOODALL PARK IMPROVEMENTS	388,175.66		337,940.85
AMERICAN RELIEF FUNDS: ARPA Grant	593,901.34		
Community Bid.Renovation: SCIF GRANT	93,118.12		
Y-T-D BALANCE RESTRICTED FUNDS	\$ 3,694,192.27		\$ 2,907,442.81
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 7,565,138.47		\$ 6,162,803.95



TOWN OF ERWIN

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


TOWN OF ERWIN RESOLUTION IN SUPPORT OF THE INTENT TO REDEVELOP A BROWNFIELDS PROPERTY

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

WHEREAS, the prospective developer has filed with the North Carolina Department of Environmental Quality (DEQ) a Notice of Intent to Redevelop a Brownfields Property located at 200 N 13th Street, Erwin NC 28339 pursuant to the North Carolina Brownfields Property Reuse Act authorized by the North Carolina General Statutes 130A-310.30 through 130A-310.40; and

THEREFORE, BE IT RESOLVED that the Town of Erwin Mayor Randy Baker and the Board of Commissioners endorse and support the intent to redevelop the Brownfield Property, which is the former site of the Erwin Textile Mill.

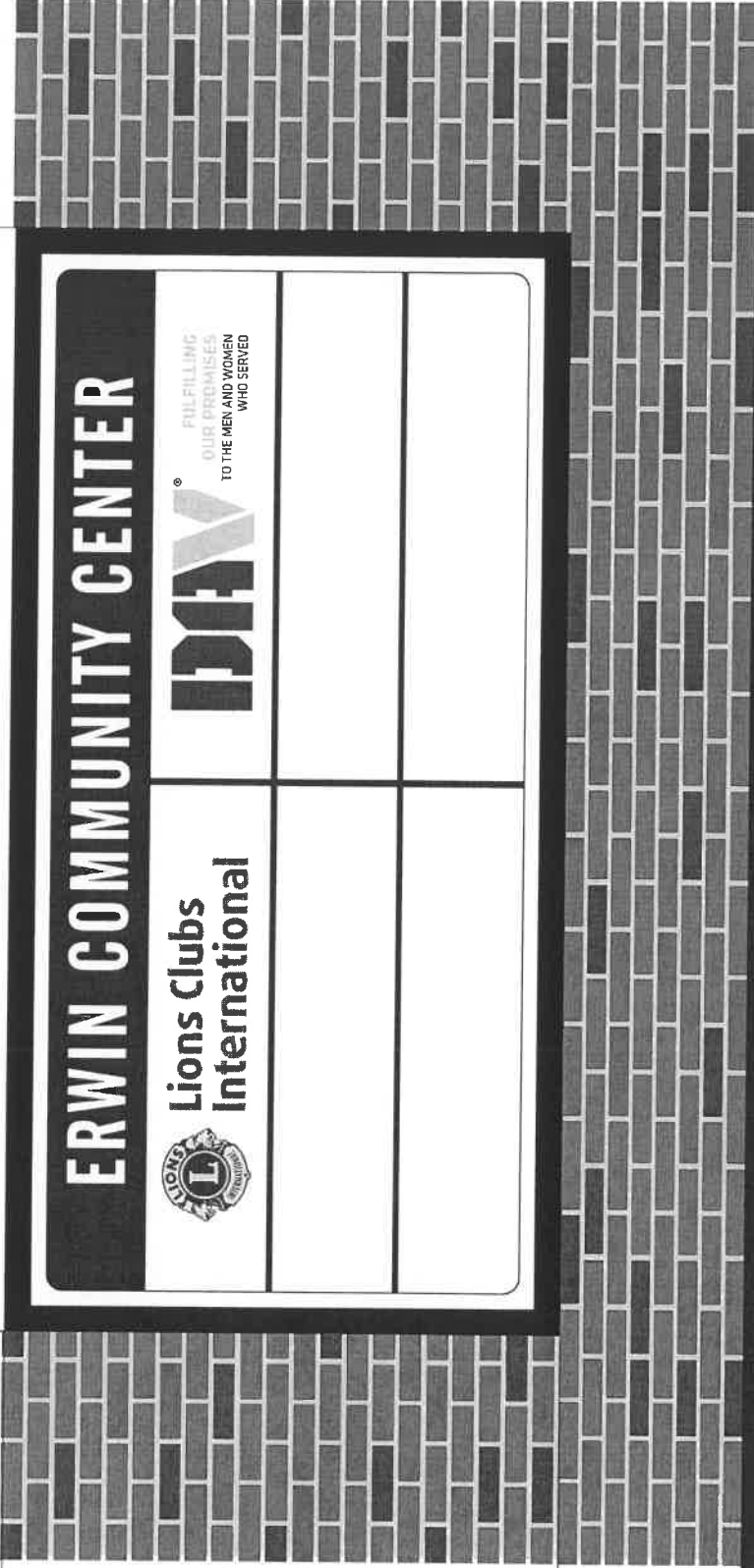
Adopted this 4th day of August 2022.


Randy Baker
Mayor

ATTEST:


Lauren Evans
Town Clerk

15.00 in * 72.00 in



36.00 in

12.00 in

102.00 in



ERWIN COMMUNITY BUILDING
36" x 72" Wall Sign w/ U-Brick Monument

2785 US Hwy 301 N, Dunn, NC 28334
Ph: 910-892-5900 • Fax: 910-892-2140 • www.SignandAwning.com

NOTE: These designs are property of Sign & Awning Systems, Inc. and can not be reproduced without permission.

All artwork must be approved by the customer before we move forward with the order. It is the customer's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check Spelling, Grammar, Layout, and Design Content. If the proof containing errors is approved, the customer is liable for all costs, including corrections and reprints. Proofs may not represent exact colors. All colors displayed may look different in person than on your computer screen due to the individual monitor or screen color settings.

Customer / Landlord Approval:

Date:

TRUIST

RESOLUTION FOR DEPOSIT ACCOUNT

TOWN OF ERWIN
Name of Entity

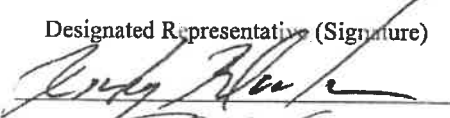
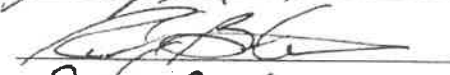
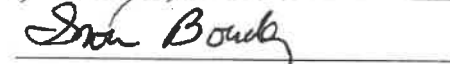


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TIN

- | | | |
|---|---|---|
| <input type="checkbox"/> Corporation | <input checked="" type="checkbox"/> Government Entity | <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Unincorporated Association | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Non-Profit Corporation |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Other |

The undersigned, acting in the capacity as corporate secretary or custodian of records for the above-named Entity, organized and existing under the laws of North Carolina, represents to Truist Bank ("Bank") that I have reviewed the governing documents and relevant records of the Entity and certify that resolutions or requirements similar to those below are adopted by and, are not inconsistent with the governing documents or records of the Entity, and that such resolutions or requirements are current and have not been amended or rescinded.

I. That the Bank is designated as a depository institution for the Entity and that by execution and delivery of this Resolution for Deposit Account the Entity will be bound by the Bank's deposit account agreement now existing or as may be amended. Any officer, agent or employee of the Entity is authorized to endorse for deposit any check, drafts or other instruments payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing.

II. That any one individual named below (a "Designated Representative") is authorized to open accounts on behalf of the Entity, to close any account or obtain information on any account. Any one Designated Representative may appoint others (an "Authorized Signer") to conduct transactions on an account by authorizing them to sign their name to the signature card.

Designated Representative (Signature)	Printed Name	Title
	RICKY BLACKMON	MAYOR PROTEM
	RANDY BAKER	MAYOR
	SNOW BOWDEN	TOWN MANAGER
	LINDA WILLIAMS	FINANCE DIRECTOR
	LAUREN EVANS	TOWN CLERK/HR DIRECTOR

III. That the Bank is authorized upon the signature of any one signer on a signature card to honor, pay and charge the account of the Entity, all checks, drafts, or other orders for payment, withdrawal or transfer of money for whatever purpose and to whomever payable.

IV. That any one Designated Representative may appoint, remove or replace an Authorized Signer, enter into a night depository agreement, enter into an agreement for cash management services, lease a safe deposit box, enter into an agreement for deposit access devices, enter into an agreement for credit cards, enter into an agreement relating to foreign exchange and obtain online foreign exchange services related thereto, or enter into any other agreements regarding an account of the Entity.

FOR BANK USE ONLY			
Prepared By <u>D09320</u>	Date <u>08/02/2022</u>		
Center <u>6010001</u>	Bank No. <u>102</u>	State <u>NC</u>	

Forward to:
Centralized Document Scanning Operations
M/C 100-99-15-11

RESRES102560890158




8010 (2110)

V. That any prior resolutions or requirements have been revoked or are no longer binding, and that this Resolution for Deposit Account applies to all accounts at the Bank and will remain in full force and effect until rescinded, replaced or modified in writing in a form acceptable to the Bank and after the Bank has had a reasonable time to act on such change.

VI. That any transaction by an officer, employee or agent of the Entity prior to the delivery of this Resolution for Deposit Account is hereby ratified and approved.

DATED: 8/4/2022


SIGNATURE

Randy Baker
PRINTED NAME

MINUTES CONTINUED FROM AUGUST 4, 2022

PUBLIC COMMENT

Jerry Manning of 604 East E Street came forward and addressed the Board. He stated he has been approached by a Harnett County Deputy on the Rail Trail when driving his golf cart. There are not any “No Golf Carts” signs on the trail and not allowing him to have his golf cart on the trail is violating his rights, he does not feel he should be denied access due to not being able to walk the trail. He stated this is Erwin’s trail and it is not a County issue, he also understood that the Town of Erwin has invested money in the Harnett County Park. He also inquired to the Board about tax rates for the new year.

Carolyn Manning of 604 East E Street came forward. She stated she does not know what kind of grant the Town has been awarded to restore the Depot and make it into a museum but as a citizen of Erwin, she can appreciate our past but she does not understand why the Town would want to put thousands of dollars, even though it’s a grant, the Town will still have to put their money into the Depot to make it a nice building. Why can’t the Town take one of the empty store buildings uptown and make a beautiful museum? That money could be used elsewhere to better the Town.

**PROCLAMATION OF RECOGNITION OF OUTGOING PLANNING BOARD
MEMBER MICHAEL SHEAN**

Former Planning/Zoning and Board of Adjustments Member Michael Shean was recognized for his distinguished service to the citizens of the Town of Erwin and its Extra-Territorial Jurisdiction during his two consecutive terms, extending from August 4, 2016, through August 1, 2022. Mayor Pro Tem Baker presented him with a Proclamation Plaque.

PUBLIC HEARING

ZT-2022-004

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

Town Manager Snow Bowden stated the Town of Erwin received a request to have a parcel rezoned from RD to R-10 Zoning District. The parcel is adjacent to R-10 zoning. The Planning Board recommend the request for approval and adopted a statement of consistency.

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

Applicant, Zachary Angle, came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Angle came forward and thanked the Mayor and Board for taking the time to consider this rezoning request. He provided the Board with a sketch of what he is working with. He would like to rezone the property from RD to R-10 because he would like to do a Plan Unit Development which is only allowed in R-10 and R-6. Plan Unit Developments allow for more creative uses of the property and smaller lots. The plat he presented to the Board is an idea he is working with for an age-targeted neighborhood of 55 and up. All of the homes would be single-



**TOWN OF ERWIN
BOARD OF COMMISSIONERS
REGULAR MEETING
THURSDAY, AUGUST 4, 2022 AT 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.	Jerry Maxring	Erwin, NC	
2.	Carol Manning	11	
3.	Eric M. Tye		
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			



TOWN OF ERWIN

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

**TOWN OF ERWIN PROCLAMATION
RECOGNIZING OUTGOING PLANNING/ZONING
& BOARD OF ADJUSTMENTS MEMBER
MR. MICHAEL SHEAN
FOR OUTSTANDING SERVICE
2022-2023—002**

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

WHEREAS, The members of the Erwin Town Board make an effort to officially recognize those individuals that serve as citizen volunteers in an effort to serve their community; and,

WHEREAS, Mr. Michael Shean served on the Erwin Planning/Zoning and Board of Adjustments for a period of two consecutive terms, extending from August 4, 2016, through August 1, 2022; and,

WHEREAS, during his tenure on the Planning/Zoning and Board of Adjustments Mr. Shean represented the community's interest in an exemplary fashion through his leadership, dedication, and ability to remain objective when considering a variety of issues.

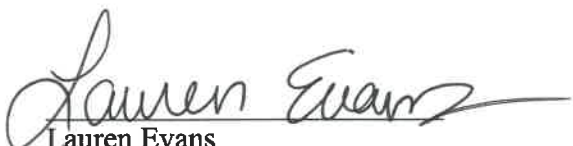
NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Commissioners hereby officially recognize and commends former Planning/Zoning and Board of Adjustments Member Michael Shean for distinguished service to the citizens of the Town of Erwin and its Extra-Territorial Jurisdiction.

DULY ADOPTED, this the 4th day of August 2022.

ATTEST:



Randy Baker
Mayor



Lauren Evans
Town Clerk

MINUTES CONTINUED FROM AUGUST 4, 2022

family detached properties. We are not voting on this tonight, he will come back with more details, he just wanted to provide the Board with an idea of what he is thinking for the property.

Mayor Baker stated he wanted to remind the Board that this is a rezoning hearing and it is very nice of Mr. Angle to bring his proposed use but he asked the Board to keep in mind that when a rezoning takes place any of the permitted uses in that zoning district are allowed so we cannot base the request solely on the proposed use. He thanked Mr. Angle for being clear in his reasoning behind the proposed rezoning but the Board has to make sure they are consistent with their process.

Town Manager Snow Bowden stated if Mr. Angle wanted to do his proposed Plan Unit Development would require a Special Use Permit, neighbors will receive letters, a sign will go up in the yard, it will be advertised in the newspaper, and a Public Hearing would be held.

Mayor Baker asked Town Clerk Lauren Evans to put up on the screen where the parcel is located.

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

No one came forward.

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

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

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

No one came forward.

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

Town Manager Snow Bowden stated the applicant plans on requesting that the parcel be voluntarily annexed into Town Limits.

Commissioner Byrd made a motion that the requested rezoning to R-10 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 and was seconded by Commissioner Nelson. **The Board voted unanimously.**

Commissioner Byrd made a motion the approve Ordinance For Map Amendment Case # ZT-2022-004 Amendment To The Official Zoning Map To Rezone From Rural District (RD) To R-10 Per Zoning Ordinance Article XXIII For Harnett County Pin 0597-13-6466.000, ORD 2022-2023:001 and was seconded by Commissioner Nelson. **The Board voted unanimously.**

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 4, 2022

Subject: ZT-2022-004

The Town of Erwin has received an application to have a parcel rezoned from our Rural District to our R-10 Zoning District. The parcel that is requested to be rezoned is adjacent to a parcel that is zoned R-10. The applicant plans on requesting that the parcel be voluntarily annexed into Town Limits. If this rezoning request is approved it would open up the option for the applicant to request a special use permit for a planned unit development.

The Planning Board adopted a statement-of-consistency and recommended this rezoning request for approval.

Attachments:

- ZT-2022-004 Application
- ZT-2022-004 Staff Report
- Harnett County GIS Image- No Zoning
- Harnett County GIS Image- Zoning
- Harnett County GIS Image- Blue Line Stream
- Harnett County GIS Image- Easements
- Harnett County GIS Image- Flood Zones
- Harnett County GIS Image- Water and Sewer
- Harnett County GIS Image- Wetlands
- Map of Parcels within 100'
- Surrounding property owners notified
- ZT-2022-004 Public Notice Letter
- Planning Board Statement-of-Consistency
- Statement-of-Consistency
- Statement-of-Inconsistency

Revised 9-19-2014



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

Staff Only: Zoning Case # Z-20 - _____
 Fee: 300 Check # _____ MO _____ Cash _____
 PB Recommendation: A D A/W Conditions _____
 BOC Date: _____ Decision: A D T A/W Conditions _____

Print Applicant Name: Zachary Angle
 Name of Legal Property Owner: Zachary + Arielle Angle
 Location of Property: S 20th St

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

Zoning change requested from R1 to R10

If Conditional District, note conditions: _____

Harnett County Tax Map PIN 0597-13-6466

Property owner(s) of area requested and address(es)
See attached

(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]
 Signature of Applicant

919-602-2351
 Contact Number

126 N Ennis St, Fuquay-Varina, NC 27526
 Mailing Address of Applicant



**REZONING MAP REQUEST
STAFF REPORT**

Case: ZT-2022-004

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

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

Planning Board: 07/18/2022

Town Commissioners: 08/04/2022

Requested zoning map amendment to a vacant parcel located off of South 20th Street. The parcel can be identified by its Harnett County PIN #0597-13-6466.000. The request is to have the parcel rezoned from Rural District (RD) to R-10.

Applicant Information

Owner of Record:

Name: Zachary and Arielle Angle

Address: 126 N. Ennis Street

City/State/Zip: Fuquay-Varina, NC 27526

Property Description

Tract – Vacant

Harnett County Tax PIN 0597-13-6466.000

Acres 42.93

Zoning District- Rural District

Vicinity Map

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts
- See Attached Harnett County GIS Image showing existing Harnett Regional Water-Water and Sewer Lines
- See Attached Harnett County GIS Image showing existing easements on parcel
- See Attached Harnett County GIS Image showing existing blue line streams on parcel
- See Attached Harnett County GIS Image showing wetlands in area
- See Attached Harnett County GIS Image showing flood zones

Physical Characteristics

Site Description: This is a vacant parcel located off of South 20th Street. The parcel is located in the 100-year and 500-year flood plain. Based on data from Harnett County there are not wetlands on the parcel. There is an existing ingress/egress easement that belongs to the City of Dunn, NC on this lot. Based on data from Harnett County GIS there are sewer lines on this parcel. The parcel is 42.89 acres. The parcel has changes in elevation across the parcel and good views of the Cape Fear River.

Surrounding Land Uses: This parcel is located off of South 20th Street. The majority of the uses off of this street are public infrastructure uses (water/sewer). The Dunn-Erwin Rail Trail is located off of South 20th Street. The vast majority of the other uses in the area are residential. There are some commercial uses located off of West E Street adjacent to the parcel.

Services Available

- Harnett County Regional Water
- Duke Energy would provide electricity
- CenturyLink is the telephone provider

Staff Evaluation

The applicant has requested that this parcel be rezoned from Rural District (RD) to R-10 (Residential).

Town Staff would recommend this rezoning request be evaluated for feasibility.

Staff Evaluation

Yes No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

- **Reasoning:** The applicant is requesting that this parcel remain zoned as a residential zoning district. The applicant does want to develop this lot as a residential land use. If approved, this zoning district would allow for further land development than what would be allowed in its current zoning district. However, the R-10 Zoning District is a bit more restrictive with other land uses that are allowed.

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

- **Reasoning:** This parcel is located in an area of Town in our 2014 Land Use Plan that was identified for Low Intensity growth. However, it is adjacent to an area identified for Medium Intensity growth. The Low Intensity growth area allows low impact uses

compatible with surrounding developments. There are a number of homes towards the bottom of West E Street.

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

- **Reasoning:** If this rezoning request is approved it would allow for further development of this lot. There would be improvements made to the lot if the rezoning request is approved that would enhance the parcel.

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

- **Reasoning:** This is one tract of land that is 42.93 acres.

<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. YES</p>	<p>There are fewer permitted land uses with this rezoning request. If the rezoning request is approved it would allow for higher density residential land uses compared to what is currently allowed.</p>
<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) YES</p>	<p>This rezoning request is to a more restrictive zoning district (R-10). R-10 Zoning would allow for more residential development on this parcel compared to RD. There are a number of other land uses in the Rural District Zoning District compared to R-10.</p>
<p>There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. YES</p>	<p>The request is to have the parcel rezoned to another residential zoning district. If approved, this district allows uses such as a planned unit development as a special use. Special use permits require a public hearing and further approval from the Town Board. The parcel is currently located in our Rural District. There are land uses that are permitted in Rural District compared to our R-10 Zoning District.</p>
<p>The proposed change is in accord with the Land Development Plan and sound planning principles. YES</p>	<p>This parcel is located in an area identified for low intensity growth. However, it is adjacent to an area for medium intensity growth and a small section of the parcel is found in the medium intensity growth area.</p>

Statement of Consistency

The requested rezoning to R-6 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**.

Or

Statement of In-Consistency

The requested rezoning to R-6 is **NOT** compatible with all of the Town of Erwin's regulatory documents and it would have a negative impact on the surrounding community. It is recommended that this rezoning request **NOT BE APPROVED**.

Attachments:

- ZT-2022-003 Application
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheet
- Public notice letter sent to adjacent property owners

Harnett GIS



NOT FOR LEGAL USE .

GIS/E-911 Addressing
July 11, 2022

Surrounding County Boundaries
 City Limits
 County Boundary
 Airport

Major Roads
 Interstate
 NC
 US
 Roads

Mile_Markers
 Mile_Markers
 Railroad
 Parcels
 CapeFearRiver

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

Harnett GIS



Harnett County GIS

	Surrounding County Boundaries		MajorRoads		Mile_Markers
	City Limits		Interstate		Mile_Markers
	County Boundary		NC		Railroad
	Airport		US		Parcels
			Roads		CapeFearRiver

GIS/E-911 Addressing
July 11, 2022

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

NOT FOR LEGAL USE .

Harnett GIS



HARNETT COUNTY GIS

Surrounding County Boundaries

- City Limits
- County Boundary
- Address Numbers

MajorRoads

- Interstate
- NC
- US

Airport

- Airport

Roads

- Roads

Mile_Markers

- Mile_Markers

Railroad

- Railroad

Parcels

- Parcels

CapeFearRiver

0 165 330 660 Feet

1 inch = 376 feet

NOT FOR LEGAL USE

GIS/E-911 Addressing
July 11, 2022

Harnett GIS



Harnett County GIS

GIS/E-911 Addressing
July 11, 2022

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

0 165 330 660 Feet
1 inch = 376 feet

NOT FOR LEGAL USE.

Harnett GIS



■ Surrounding County Boundaries **Major Roads**
□ City Limits **Interstate Mile Markers**
▬ County Boundary **NC**
▬ Airport **US**
⊠ Roads **Mile Markers**
⬠ Parcels **Railroad**

GIS/E-911 Addressing
 July 11, 2022

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

NOT FOR LEGAL USE .

Harnett GIS



NOT FOR LEGAL USE.

GIS/E-911 Addressing
July 11, 2022

	Surrounding County Boundaries		Gravity		Lillington Sewer
	City Limits		Service Laterals		County Water Mains
	County Boundary		StepFM		2 - 5
	Address Numbers		Sewer Main		6 - 36
	Force Main		Force Main		

1 inch = 376 feet

Harnett GIS



GIS/E-911 Addressing
July 11, 2022

Surrounding County Boundaries
 City Limits
 County Boundary
 Parcels

Interstate
 NC
 US

MajorRoads
 Mile_Markers
 Mile_Markers
 Railroad

Roads
 Airport

Airport

NOT FOR LEGAL USE .

Harnett GIS



Surrounding County Boundaries

- City Limits
- County Boundary
- Airport

MajorRoads

- Interstate
- NC
- US
- Roads

Mile_Markers

- Mile_Markers
- Railroad
- Parcels
- CapeFearRiver

GIS/E-911 Addressing
July 8, 2022

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

NOT FOR LEGAL USE .

Owner - BAYLES JERRY RAY SR & BAYLES FAYE P

Mailing Address - P O BOX 343 ERWIN, NC 28339-0000

Owner - AGUIRE JUAN CORTES & GUTIERREZ DOLORES NARVAEZ

Mailing Address - 8916 WALTER MYATT RD WILLOW SPRING, NC 27592-9377

Owner - HOBBS ROY E & HOBBS FAYE F

Mailing Address - 1109 WEST E STREET ERWIN, NC 28339-0000

Owner - FAIRCLOTH PAUL & FAIRCLOTH BERTHA

Mailing Address - 1105 WEST E ST ERWIN, NC 28339-3105

Owner - FAIRCLOTH FREDDIE LEE

Mailing Address - 1100 WEST E STREET ERWIN, NC 28339-0000

Owner - GLOVER LINDA W & WEST RICHARD T

Mailing Address - 2664 HIDDEN SPRINGS CT MARIETTA, GA 30062-5763

Owner - CRAFFORD JOHN E & CRAFFORD VALERIE

Mailing Address - 807 W E ST ERWIN, NC 28339-1914

Owner - DUNN CITY OF & A MUNICIPAL CORPORATION

Mailing Address - PO BOX 1065 DUNN, NC 28335-1065

Owner - HARNETT COUNTY

Mailing Address - PO BOX 759 LILLINGTON, NC 27546-0000

Jerry and Faye Bayles
PO Box 343
Erwin, NC 28339

Roy and Faye Hobbs
1109 West E Street
Erwin, NC 28339

Freddie Lee Faircloth
1100 West E Street
Erwin, NC 28339

John and Valerie Crafford
807 West E Street
Erwin, NC 28339

Harnett County
ATTN: Brent Trout, County Manager
PO Box 759
Lillington, NC 27546

Juan Aguire and Dolores Gutierrez
8916 Walter Myatt Road
Willow Spring, NC 27592

Paul and Bertha Faircloth
1105 West E Street
Erwin, NC 28339

Richard West and Linda Glover
2664 Hidden Springs Court
Marietta, GA 30062

The City of Dunn, NC
ATTN: Steven Neuschafer, City Manager
PO Box 1065
Dunn, NC 28335

Zach and Arielle Angle
126 N. Ennis Street
Fuquay-Varina, NC 27526



TOWN OF ERWIN

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

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

07/11/2022

Notice of a Public Hearing ZT-2022-004

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 4th, 2022 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed rezoning request.

There has been a zoning map amendment application submitted to the Town to have a vacant parcel located off of South 20th Street rezoned. The property can be identified by its Harnett County PIN # 0597-13-6466.000. The property is currently in our Rural District (RD) Zoning District. The applicant has requested to have this parcel rezoned to our R-10 (Residential) Zoning District.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

Regards,

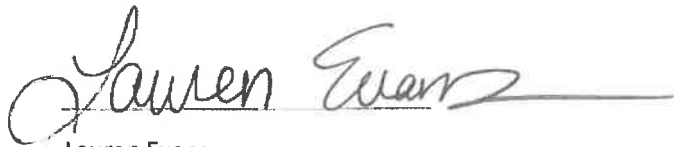
Snow Bowden
Town Manager

Statement-of-Consistency

The requested rezoning to R-10 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 'RJ Beasley', written over a horizontal line.

RJ Beasley
Planning Board Chair

A handwritten signature in black ink, appearing to read 'Lauren Evans', written over a horizontal line.

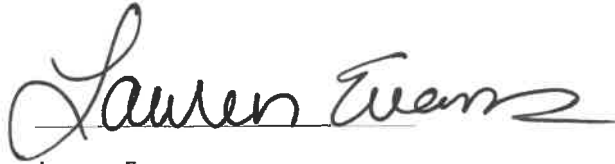
Lauren Evans
Town Clerk

Statement-of-Consistency

The requested rezoning to R-10 is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.



Randy Baker
Mayor



Lauren Evans
Town Clerk



TOWN OF ERWIN

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Ph: 910-897-5140 • Fax: 910-897-5543
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Mayor
Randy L. Baker
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Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

ORDINANCE FOR MAP AMENDMENT CASE # ZT-2022-004 AMENDMENT TO THE OFFICIAL ZONING MAP TO REZONE FROM RURAL DISTRICT (RD) TO R-10 PER ZONING ORDINANCE ARTICLE XXIII FOR HARNETT COUNTY PIN 0597-13-6466.000.

ORD 2022-2023: 001

Per Chapter 36 Zoning, Article XXIII, Changes and Amendments, Harnett County PIN 0597-13-6466.000 owned by Zachary and Arielle Angle has been rezoned to R-10, Case # ZT-2022-004.

B3398 - P525

HARNETT COUNTY TAX ID#
06059914040015 1, 06059914040015 2
05-03-2016 BY SB

For Registration Kimberly S. Hargrove
Register of Deeds
Harnett County, NC
Electronically Recorded
2016 May 03 04:36 PM NC Rev Stamp: \$ 0.00
Book: 3398 Page: 525 Fee: \$ 26.00
Instrument Number. 2016006002

Submitted electronically by Henderson and Wall, PLLC, in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

Parcel #06059914040015 1, 06059914040015 2 Excise Tax: 0.00	Recording Time, Book & Page:
Prepared by: HAYES, WILLIAMS, TURNER & DAUGHTRY, P.A. 804 West Broad Street Dunn, North Carolina 28334	Mail after recording to: Grantee

NORTH CAROLINA GENERAL WARRANTY DEED NO TITLE CERTIFICATION

This deed made this 28th day of April, 2016, by and between:

GRANTOR: Timothy C. Morris, Administrator of the Estate of Hoover Douglas Moore n/k/a H. Douglas Moore, Decedent. P.O. Box 7974 102-B S 12 th St. Erwin, NC 28339	GRANTEE: ZACHARY ANGLE and wife ARIELLE ANGLE 126 N. Ennis St Fayetteville, NC 27524
---	---

The designation Grantors 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 Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents doth grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain tract or parcel of land lying and being in the Duke Township, Harnett County, North Carolina, and more particularly described as follows:

Being all that certain tract of land designated as Tract No. 26 as shown on Map No. 3 of the Subdivision of the Erwin Mills, Inc. Property made by Moore, Gardner and McMillan, dated January 1954 and recorded in map Book 7, Page 4, Harnett County Registry, to which a reference is hereby made a part of this description.

This property is the same as described in a deed dated February 15, 1954, from L.P. Faircloth and wife, Addie M. Faircloth, to N.V. Stephenson and recorded in Book 350, Page 117, Harnett County Registry.

THERE IS EXCEPTED from the above described tract the following parcels of land which have heretofore been conveyed therefrom:

Parcel I : That certain parcel containing eight (8) acres, more or less, more fully described in a deed from N.V. Stephenson and wife, Bessie W. Stephenson, to L.P. Faircloth and wife, Addie M. Faircloth, said deed dated February 17, 1954, and recorded in Book 350, Page 114, Harnett County Registry.

Parcel II : That certain parcel containing 16.5 acres, more or less, more fully described in a deed from N.V. Stephenson to E. M. Currin, dated June 29, 1955, and recorded in Book 365, Page 241, Harnett County Registry.

Parcel III : That certain parcel containing 3.068 acres, more or less, more fully described upon a map of survey entitled "Property of the Town of Dunn, Duke Township, Harnett County, N.C. made by Arthur R. Denning, Registered Land Surveyor, dated December 24, 1964, and recorded in Map Book 11, Page 88, Harnett County Registry; said tract being also described in a deed dated February 4, 1965, from N.V. Stephenson to The Town of Dunn and recorded in Book 464, Page 90, Harnett County Registry.

Parcel IV: That certain parcel containing 2.11 acres, more or less, more fully described in a deed dated February 24, 1965, from N.V. Stephenson, Sr. to Paul Faircloth and wife, Bertha Lee Faircloth, and recorded in Book 465, page 107, Harnett County Registry.

This conveyance is made subject to those certain restrictions, reservations, and easements contained in a deed from Erwin Mills, Inc. to L.P. Faircloth and wife, which is recorded in Book 352, Page 88, Harnett County Registry; this conveyance is also made subject to all existing right-of-way agreements with the Town of Dunn and the Town of Erwin for sewage and/or water lines and to all existing utility lines easements and especially to that utility line easement dated February 8, 1967, from N.V. Stephenson, Sr. to Carolina Power and Light Company and recorded in Book 480, Page 224, Harnett County Registry. Reference should be made to that map recorded in Map Book 7, Page 4, Harnett County Registry. See also Deed Book 540, Page 169, Harnett County Registry

The property hereinabove described and being was acquired by Grantors in Estate of H. Douglas Moore filed in Estate File: 14 E 499, Harnett County Registry.

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

And the Grantors covenant with the Grantee, that Grantor is seized of said premises in fee simple, has 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 will forever defend the said title against the lawful claims of all persons whomsoever, except the following:

IN TESTIMONY WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Timothy C. Morris (SEAL)
Timothy C. Morris, Administrator

NORTH CAROLINA
COUNTY OF HARNETT

I, Karen P. Lamm Notary Public, hereby certify that Timothy C. Morris, Administrator of the Estate of Hoover Douglas Moore a/k/a H. Douglas Moore personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Conveyance.

Witness my hand and notarial seal this 28th day of April, 2016.

Karen P. Lamm
Notary Public
My Comm. Expires: 9/21/20



Adopted this the 4th day of August 2022.

Randy Baker
Randy Baker,
Mayor

ATTEST:

Lauren Evans
Lauren Evans
Town Clerk

MINUTES CONTINUED FROM AUGUST 4, 2022**NEW BUSINESS****Erwin Rail Trail**

Commissioner Turnage stated he has received a lot of complaints about the difference between the Dunn Erwin Rail Trail vs the Erwin Rail Trail. He stated Harnett County does not control the Erwin Rail Trail and we have a right to allow people to drive their golf carts on the trail. If a handicapped person took Harnett County to court, they would win. He asked that the Town put up a sign on the trail that golf carts are allowed. No ATVs only golf carts.

Mayor Baker asked our Town Manager and Town Attorney to get more information from the citizens who came to the meeting.

Town Manager Snow Bowden verified if Commissioner Turnage was talking about the rail trail extension that Doug got the grant for that connects 20th Street to the Cape Fear river park which is a Harnett County park. There should not have been a Sheriff's Deputy on the Rail Trail. These are legal issues we need to figure out. He stated the Trail is owned by the County enough though Erwin does have a say in what is allowed in Erwin.

Discussion continued among the Board and staff.

Mayor Baker stated that Chief Johnson knows golf carts are not condemned in Erwin.

Town Manager Snow Bowden stated he will schedule a meeting with the county and have Town Attorney Tim Morris speak with the County Attorney.

Commissioner Turnage expressed his concern about people abusing the golf cart laws in Erwin. Golf Carts being driven on the road is illegal without a Town Sticker and must be registered with the Town.

MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that the next CERRI Meeting is on August 25th from 9-11 AM. He received a lot of good feedback from citizens and businesses in Erwin who were involved. He and Mayor Baker had a meeting on July 22nd with the NC Flood Plain Management Office. They reviewed our permits. He and Town Engineer Bill Drietzler went on a tour with Matthew Stillwater after the fact and gave them a green light. A number of years ago the Town was on probation with FEMA so it was good to get a good report from them. He informed the Board that Chief Johnson promoted Officer Norris to one community officer position and moved Ethan Core from part-time to full-time for the second community officer position.

MINUTES CONTINUED FROM AUGUST 4, 2022

ATTORNEY'S REPORT

Town Attorney Tim Morris stated he was thankful to be the Town Attorney and stated regarding some Code Enforcement issues he has been dealing with, he would like to send an internal memorandum and have the Board share it as they see appropriate.

GOVERNING COMMENTS

Commissioner McKoy informed the staff that there still needs to be a light at Porter Park where the W.N. Porter sign is located. The steps that once led to N 13th Street from Porter Park going towards the play area are no longer there and need to be replaced with rails as soon as possible. The parking area at Porter Park is a mess, there were pine needles and debris everywhere. When reviewing the FY 2022-2023 Budget, \$140,000 was projected to be spent on improvements at Al Woodall Park but nothing was ever mentioned about spending these funds on much-needed improvements at Porter Park such as resurfacing the parking lot and the ditch issues on N 13th street, He asked Town Manager Snow Bowden about the progress of fixing the broken asphalt at N 13th street and W M Street.

Town Manager Snow Bowden stated we are still waiting on DOT, we will just keep calling.

Commissioner McKoy stated the trailer traffic flow on W N Street is increasing and something needs to be done or the Town will be having the repair the road soon. He also stated the ditches on Allen Drive and Womack are in a mess.

Commissioner Byrd thanked staff for cleaning up the Flea Markets on his road. He stated the fence issue Mr. Morris had mentioned has been going on for a year and it is clear that the fence is not in compliance with our Ordinance. He stated at this point, we need to say, "fix it or see you in court" Mr. Lucas has an immaculate yard and the fence is the wrong way and we will enforce it through legal action. We should be enforcing our Ordinances throughout Erwin or taking them off the books.

Commissioner McKoy stated it is not Mr. Bowden's job to enforce code. We need a Code Enforcement Officer bad, we all know that.

Commissioner Nelson stated he seconded Commissioner Byrd, our Codes must be enforced. He inquired about the road beside the shortstop.

Mayor Baker stated he has spoken with Keith Anderson and is making their way to us.

Commissioner Turnage stated he received a complaint about ongoing yard sales on East E Street. Mr. Bowden has more than he can handle and when we hire a Code Enforcement Officer, we are going to have to back him up 100%. If he says take them to court then we have to take them to court. He stated East H Street looks really nice.

Commissioner Byrd stated he is glad to see someone working on the ditch behind the new school.

Mayor Baker thanked the citizens for coming out and engaging in conversation. Input from our citizens is what the Board needs to effectively facilitate the Town. The issues you bring to the Board are the most important things and the Board takes a pledge to address those issues for you. Let's share in the growth of Erwin together. He asked that everyone invite family and friends to come to our meetings and get involved like Former Planning Board Member Michael Shean who was recognized earlier in the meeting.

ADJOURNMENT

Commissioner Byrd made a motion to adjourn at 8:08 P.M. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

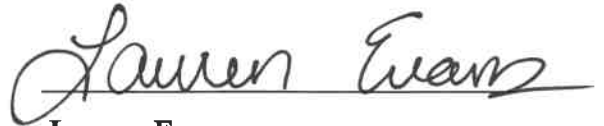
**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:



Randy Baker

Mayor



Lauren Evans

Town Clerk