

**THE ERWIN BOARD OF COMMISSIONERS**  
**BUDGET WORKSHOP**  
**THURSDAY, MARCH 24, 2022 @ 9 A.M.**  
**ERWIN MUNICIPAL BUILDING BOARD ROOM**

**AGENDA**

- 1. MEETING CALLED TO ORDER**
  - a. INVOCATION**
  - b. PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF AGENDA**
- 3. DISCUSSION OF PROPOSED FY 2022-2023 BUDGET**
- 4. DISCUSSION OF CURRENT FY 2021-2022 BUDGET**
- 5. ADJOURNMENT**

**ERWIN BOARD OF COMMISSIONERS**  
**BUDGET RETREAT MINUTES**  
**MARCH 24, 2022**  
**ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Pro Tem Baker presiding held its Annual Planning Retreat in the Erwin Municipal Building Board Room on Thursday, March 24, 2022, at 9:00 A.M. in Erwin, North Carolina.

Board Members present were: Mayor Pro Tem Randy Baker, William Turnage, Ricky Blackmon, and Alvester McKoy.

Board Members absent were: Mayor Patsy Carson and Commissioner Thurman Whitman

Town Manager Snow Bowden, Town Clerk Lauren Evans, Finance Director Linda Williams, Police Chief Jonathan Johnson, Public Works Director Mark Byrd, Recreation Director Doug Stevens, and Librarian Kimberly Vanbeck were present.

Mayor Pro Tem Baker called the meeting to order at 9:00 A.M.

Commissioner McKoy gave the Invocation.

Town Clerk Lauren Evans led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**DEPARTMENTAL CAPITAL REQUEST**

**Below are the requests from each Department for the upcoming 2022-2023 fiscal year.**

**LIBRARY- KIMBERLY VANBECK**

Town Manager Snow Bowden stated we are waiting to see a legal agreement from Harnett County but within the first year, we would contribute \$69,405.00, the next year \$43,964.00, then fiscal year 2024-2025 the Town would contribute \$0.00.

Librarian Kimberly Vanbeck came forward and discussed the pros and cons of the Library Consolidation Plan in her opinion.

## MINUTES CONTINUED FROM MARCH 24, 2022

Discussion continued amongst the Board and concerns were expressed on the details of the potential consolidation.

Librarian Kimberly Vanbeck stated under the current budget with the Town her biggest concerns are not having additional staff and the book budget is extremely low.

## PARKS AND RECREATION---DOUG STEVENS

Town Manager Snow Bowden stated for the Recreation Department, the Town has a separate fund, the Priebe Fund, and our auditors had a valid point that there needs to be some type of budget in place, separate from the general fund. He is requesting there to be a threshold or a percentage that it cannot get below. The fund currently has about \$12,000 in it.

Parks Director Doug Stevens stated in the past, the Priebe Fund is used for cement pad under the bleachers, signage for all the fields, and most importantly, assist with travel expenses for our All-Star Teams to go to the State Competitions. This fund is made up of mostly donations from local residents.

The consensus of the Board was to follow the auditor's recommendation at the discretion of the Town Manager and Parks and Recreation Director Doug Stevens to have blanket miscellaneous expenses and set the minimum threshold allowed.

Parks Director Doug Stevens stated he provided Town Manager Snow Bowden with a list of improvements that need to be made at Al Woodall and Porter Parks and discussed those potential improvements with the Board.

## POLICE DEPT---JONATHAN JOHNSON

Town Manager Snow Bowden stated the proposed budget included one new detective position and new body cams for the Police Department. Chief Johnson did ask for two detectives but only one was proposed in the budget to make the numbers work.

Police Chief Jonathan Johnson stated investigator position would help Lieutenant Ennis with day-to-day investigations and focus on narcotics in Town. Since 2018, their department has had an increase in calls. Their body cams are six years old and need to be replaced. He stated he asked for two investigators so he could assign one investigator to each squad which would put another person on the road who would rotate with that squad and take the cases assigned during that shift.

Commissioner Blackmon asked Town Manager Snow Bowden to try and fit both investigator positions in the budget if at all possible. Having someone else on the road to protect our citizens is a priority.

Police Chief Jonathan Johnson stated with both of his sergeants being out on medical leave, it is a struggle to make sure he has coverage on every shift. He discussed salaries with the Board.

<b>Erwin Public Library</b>		<b>2021-22 Budget</b>	<b>2022-23 Budget if Consolidated</b>
502010	SALARIES & WAGES - REGULAR	\$36,440	\$46,750
502020	SALARIES & WAGES - PART-TIME	\$0	\$40,837
503030	401K - GENERAL	\$1,882	\$935
	EMPLOYEE CHRISTMAS BONUS	\$100	\$0
504010	EXPENSE ALLOWANCE	\$0	\$951
505010	FICA WH	\$2,796	\$3,576
505050	STATE RETIREMENT - GENERAL	\$4,136	\$10,598
506010	MEDICAL INSURANCE	\$7,051	\$10,873
506020	DENTAL INSURANCE		\$384
506040	LIFE INSURANCE		\$61
507010	UNEMPLOYMENT INSURANCE		\$58
507050	EMPLOYEE CLINIC		\$540
521010	JANITORIAL SUPPLIES		\$150
521030	UNIFORMS (3 new employees x \$75)	\$0	\$225
522010	FOOD & PROVISIONS	\$0	\$1,500
523010	BOOKS, MEDIA & PUBLICATIONS (+mag and news)	\$5,000	\$12,870
526010	OFFICE SUPPLIES-	\$0	\$1,500
528010	ATHLETIC & PROGRAM SUPPLIES	\$2,500	\$5,000
531010	TRAINING - MILEAGE (\$150 x FT)		\$185
531020	TRAINING - MEALS (150 X FT)		\$121
531030	TRAINING - TRANSPORTATION		\$0
531050	TRAINING - REGISTRATION (\$100 x FT)		\$230
532010	TELEPHONE SERVICE		\$840
532050	POSTAGE	\$1,000	\$0
533010	ELECTRICITY		\$1,743
533030	NATURAL / LP GAS		\$1,175
533050	WATER	\$6,000	\$337
533060	SEWER		\$0
533070	SANITATION		\$0
537010	ADVERTISING	\$0	\$250
524010	BUILDING MAINTENANCE		\$0
543010	RENTAL - COPIERS		\$2,600
543040	RENTAL - COMPUTERS	\$0	\$600
544050	SOFTWARE MAINT & SUPPORT		\$150
548000	DUES & SUBSCRIPTIONS (Chambers, NCLA, Movie Lic)	\$1,000	\$1,020
	DEPARTMENTAL EQUIPMENT	\$1,500	\$0
584000	NON-CAP ASSET - INFO TECHNO		\$1,050
587000	NON-CAP ASSES OFFICE FURNITURE		\$2,000
		<b>\$69,405</b>	<b>\$149,110</b>

### **TOWN OF ERWIN / COUNTY OF HARNETT CONTRIBUTION**

<b>Recommended Budget</b>		<b>\$149,110</b>	
<b>ERWIN 2021-22 - Approved Budget</b>		<b>\$69,405</b>	
	<b>FISCAL YEAR</b>	<b>COUNTY CONTRIBUTION</b>	<b>TOWN OF ERWIN CONTRIBUTION</b>
YEAR 1	FY 2022-23	\$79,705	\$69,405
YEAR 2	FY 2023-24	\$99,407	\$49,703
YEAR 3	FY 2024-25	\$149,110	\$0

## Porter Park Improvements

Town Staff reached out Brian Roberts with McCormick Taylor to look into potentially applying for a 2022 Environmental Enhancement Grant from the State of North Carolina for the ditch that runs through Porter Park. Please keep in mind that this is a federally protected blue line stream. This process will take some time but Town Staff believe that this is the best option to make improvements to the restore this stream.

### Attachments:

- Town of Erwin Letter of Intent Planning
- Town of Erwin Letter of Intent Restoration

# Town of Erwin Letter of Intent

## NCAG Environmental Enhancement Grant Program

### 1. Contact information for applicant, including a contact person, email, phone, mailing address

Town Manager:  
Snow Bowden  
[townmanager@erwin-nc.com](mailto:townmanager@erwin-nc.com)  
910-897-5140

Public Works:  
Mark Byrd  
[mbyrd@erwin-nc.com](mailto:mbyrd@erwin-nc.com)  
910-897-5140

100 West F Street  
PO Box 459,  
Erwin, NC 28339

### 2. Descriptive title of proposed project

- Porter Park Stream Restoration

### 3. Identification of Type of Applicant

- The Town of Erwin is a Municipality

### 4. Description of the proposed project

- The proposed Planning Study will create a clear, concise, comprehensive plan for the Town of Erwin, NC. This plan will identify individual projects (taken through conceptual design and scoping) that will include stream/floodplain restorations, resiliency planning, greenway sighting, project prioritization/sequencing, grant program identification, and a public involvement plan. This plan will generate a blueprint for the Town to follow to create a place for residents to learn about conservation and the environment, increase economic activity, all while addressing flooding, decreasing nutrient and sediment loads, and re-establishing natural hydrologic connections.

### 5. Project location (county)

- Harnett County/Cape Fear River Basin

### 6. Specific EEG program type

- Research, Planning, and Education

### 7. Anticipated amount for the requested grant

- \$150,000



# Erwin Parks and Recreation

---

P.O. Box 459 · 810 S 16<sup>th</sup> St. · Erwin, NC 28339 · Ph: 910-897-5840 · Fax: 910-897-5543

Doug Stevens, Recreation Director

## **Priebe Memorial Fund**

Field #3 at Al Woodall Municipal Park was renamed to Priebe Memorial Field in honor of Johnathan Priebe in July 2006. This was done by the park director at the time Rip Robertson with the help of attorney Tim Morris. This was a kid that loved softball almost as much as life. After a long conversation with the parents Marty and Deborah Priebe, we came to the conclusion that tournaments during each year in honor of Johnathan's life would be great. The parents requested that the tournaments be held each year with all proceeds from the tournaments be turned back to the park for the upkeep and refurbishing any of the facilities, as well as special projects at the Al Woodall Municipal park.

**Purpose:** To enhance the field #3 area which is properly named Priebe Memorial Field. As well as enhancing Al. Woodall Municipal park as a whole.

## \* American Rescue Plan \*

### Parks and Recreation Estimates

#### \* Al Woodall Municipal Park \*

- New Roof on Gym: \$50,000
- Sealcoating of Parking Lot: \$25,000
- Sealcoating of Pavement inside of Park - \$10,000
- Paving of Trail Area - \$39,000
- Paving of Parking Lot - \$87,000
- Resurface Tennis Courts/ Skate Park - \$102,000
- \* Porter Park \*
  - old
  - Install Pipe + Take out Wooder Bridge - \$16,250
  - Install Camera System -
  - New Screenings on <sup>walking</sup> Trail -
  - Slope back ditch banks - Environmental Grant



## MINUTES CONTINUED FROM MARCH 24, 2022

The Board discussed raising salaries across the board for all employees and making it a priority to provide each department with what they need if the budget will allow for it.

## PUBLIC WORKS---MARK BYRD

Town Manager Snow Bowden informed the Board that the Public Works department has to have a new limb truck. He proposed purchasing a new limb truck and once the current limb truck is fixed, use that on Wednesday to pick up appliances to keep it operating. He also proposed \$20,000 to prepare the leaf truck and purchase a new lawnmower.

Commissioner Blackmon recommended a lease to purchase the leaf truck.

Discussion continued amongst the Board and Public Works Director Mark Byrd.

Mayor Pro Tem Baker asked Mr. Byrd how the growth is affecting his department.

Public Works Director Mark Byrd stated he would prefer an increase in salary for his current employees compared to hiring more employees. The employees he currently has are adequate to get the job done with summer help. His employees have licenses and could be making a lot more money elsewhere.

Mayor Pro Tem Baker stated the Board previously discussed moving Public Works to make that land available for commercial or residential growth.

Commissioner Blackmon recommended moving the Public Works Building off the road and stated if the Board is in agreement, we need to be in the design phase now.

The Board discussed where to move the Public Works facility and the day-to-day needs of the Public Works Department.

Town Manager Snow Bowden informed the Board that the sanitation line item is budgeted to go up due to our contracted services for waste pick up, GFL is increasing by 4%.

The Board discussed the probability of bringing the waste pick up back in house. The consensus of the Board was to look into the funding two to three years from now.

The Board expressed the need for cameras on all Town Buildings.

## COMMUNITY BUILDING

Town Manager Snow Bowden stated Public Works Director Mark Byrd and Kelly Giles had plans drawn to renovate the bathrooms in the Community Buildings.

Mr. Byrd stated they are looking at enlarging the bathrooms first, then adding on later on to the rest of the Community Building.

Discussion continued among the Board. The consensus of the Board was to renovate the bathrooms to be ADA accessible, then paint the community building, remove the stove from the

### MINUTES CONTINUED FROM MARCH 24, 2022

kitchen, and renovate the kitchen to an area for caterers to prep food with counter space, refrigeration, a residential stove, and a microwave.

Town Manager Snow Bowden stated the drawings for the bathrooms were quoted at \$6,750.00.

Commissioner Blackmon stated to make sure the drawings have an architect-engineer seal on them.

### STORMWATER

Town Manager Snow Bowden stated there are two potential stormwater projects and the Stormwater Policy will be presented to the Board at our Workshop.

### ADMINISTRATION

Town Manager Snow Bowden stated the budget proposed a new position of a Finance Officer, someone who can do accounts payable, accounts receivable, and water bills. The water bills are busy a week and a half out of the month. This position would not take out our segregation of duties in our audit but it would show our auditors that we are doing something to address the concern.

The Board stated if Town Manager Snow Bowden feels the position is necessary and the budget permits then they are on board with the proposed position but a Code Enforcement Officer is a priority right now.

The Board discussed the need for a Code Enforcement Officer. Ideas were mentioned such as hiring a part-time Code Enforcement Officer, finding a retired Code Enforcement officer to come in a couple of days a week, and reaching out to our COG for assistance.

**Commissioner Turnage made a motion to recess for lunch at 12:05 PM and was seconded by Commissioner Blackmon. The Board voted unanimously.**

**Commissioner Blackmon made a motion reconvened at 1:05 PM and was seconded by Commissioner Turnage. The Board voted unanimously.**

### ADMINISTRATION CONTINUED

Town Manager Snow Bowden prepared the Board for an increase in insurance.

The Board discussed having a COLA increase of at least 5% up to what the budget will allow. They asked for a breakdown of what each 1% would cost.

The Board was provided a copy of the updated contract for Fire Inspections.

## East Erwin Drainage Project Phase 2

Our Town Engineer Bill Dreitzler has attended some training sessions to learn about the application process for the Stormwater projects that are going to be awarded with funds that the North Carolina Department of Environmental Quality from the American Recue Plan. There is approximately \$82,000,000 that will be available for Stormwater projects in the State. Applications are due by September 30, 2022. We are planning on asking for \$8.6 Million which we believe would help us finish this drainage project all the way to Butch Street.

### Attachments:

- Proposal from our Town Engineer Bill Dreitzler



**TOWN OF ERWIN**

Post Office Box 459

Erwin, NC 28339

(910) 897-5140

**M-E-M-O-R-A-N-D-U-M**

**DATE:** January 7, 2022  
**TO:** Mr. Snow Bowden, Town Manager  
**FROM:** Bill Dreitzler, P.E., Town Engineer  
**RE:** East Erwin Drainage Basin Flood Mitigation Project

---

Mr. Bowden,

As per your request, this memorandum will summarize the remaining efforts required to complete an update to the hydrologic and hydraulic evaluation, engineering design, permitting and construction of proposed mitigation efforts for the East Erwin Drainage Basin. WK Dickson completed the Study back in April 2008. The study area is generally from River Drive upstream to Butch Street and encompasses approximately 300-acres of commercial, residential and agricultural land uses.

The proposed East Erwin Drainage Basin Flood Mitigation Project is an extension of previously funded mitigation for this drainage basin. The area experienced significant flooding during Hurricane Matthew; however, the area also experiences flooding during most heavy storm events. A 2008 Hydraulic Analysis indicated that within the East Erwin drainage basin, 30 residential structures within this low to moderate income area experience flooding in a 10-yr, 24-hr storm event. The recently completed GLF Project, Maye Street Culvert Replacement had the outcome of providing mitigation relief to 9 of the identified 30 residential structures within the drainage basin. The initial phase was funded by the Town of Erwin using General Funds. The scope of the initial phase was the hydraulic analysis, engineering and permitting for undersized crossings at River, Burton and Maye Street. Funding for the construction improvements at River and Burton was completed using DRA 2017 Funds. Funding for the construction improvements at Maye Street was completed using GLF Funds. The next step in mitigating the flooding hazards within this community will be the hydraulic evaluation, engineering, permitting, and

construction for the section from Maye Street upstream to Butch Street. The 2008 Study proposed 4 alternatives for mitigation. Please consider:

- Alternative 1: 1-2 year storm event mitigation of the basin.
- Alternative 2: 10-year storm event mitigation of the basin.
- Alternative 3: Extended stormwater retention and stream restoration.
- Alternative 4: High flow diversion pipe along Denim Drive.

Alternative 2 was determined to be the most cost effective approach providing the highest level of mitigation. As a comparison, Alternative 4 was estimated to be approximately \$2.5M more costly than Alternative 2. The initial phase of mitigation (River, Burton and Maye) funded by Golden Leaf Foundation and DRA 2017 Funds followed the recommendations of Alternative 2. Please consider the following description of Alternative 2 as provided in the 2008 WK Dickson Study:

*Alternative 2: "Increase the conveyance capacity of the drainage system to convey the 10-year storm event. Recommended improvements include culvert upgrades at each road crossing and floodplain benches along the channel between Bayles Street and River Drive. Replacement of the pipe system between St. Matthews Street and Bayles Street with box pipes is also recommended. Floodplain benches are required to be wider than those proposed in Alternative 1, which will include wider drainage easements from private property owners. The increased cost to construct the Alternative 2 improvements when compared to Alternative 1 will provide a greater reduction in flooding and would likely have conveyed the runoff caused by the August 2004 rain events with minimal or no structure/roadway flooding."*

The WK Dickson 2008 opinion of probable cost for Alternative 2 was \$6,505,200. The cost of the DRA 2017/GLF project (River-Burton-Maye) was \$794,518.02. Based on the current construction market, it is my professional opinion that the 2008 remaining balance project budget of \$5.7M translates to a 2022 **recommended project budget of \$8.6M.**

Please find below the original detailed WK Dickson 2008 opinion of cost for the Alternative 2 Mitigation (\$6,505,200 total cost):

**Proposed Culvert Improvements  
Phase I  
Alternative 2  
Preliminary Opinion of Probable Construction Cost**

1	Mobilization (5% of total cost)	1	LS	\$45,500	\$45,500
2	Comprehensive Grading <sup>1</sup>	1	LS	\$30,000	\$30,000
3	Utility Conflicts <sup>2</sup>	1	LS	\$18,000	\$18,000
4	Bedding Material, Pipes	360	TN	\$30	\$10,800
5	Aggregate Base Course	90	TN	\$40	\$3,600
6	Asphalt Replacement	80	TN	\$75	\$6,000
7	Masonry Drainage Structures	1	EA	\$1,800	\$1,800
8	Masonry Drainage Endwalls	120	CY	\$550	\$66,000
9	2'-6" Concrete Curb and Gutter	280	LF	\$20	\$5,600
10	Plain Rip Rap 24" Thick, Class I	590	TN	\$120	\$70,800
11	Filter Fabric for Rip Rap Apron	560	SY	\$7	\$3,736
12	Twin 8' x 3.5' Reinforced Concrete Box Culvert (RCBC) at River St	61	LF	\$891	\$54,690
13	Twin 7' x 3' RCBC at Burton St	70	LF	\$792	\$55,440
14	6' x 3' RCBC at Burton St	35	LF	\$622	\$21,770
15	Triple 6' x 3' RCBC at Maye St	594	LF	\$622	\$369,545
16	Triple 6' x 3' RCBC at Prince St	69	LF	\$622	\$42,628
17	Remove/Dispose Excess Excavation	350	CY	\$50	\$17,500
18	Remove Existing RCP	230	LF	\$20	\$4,600
19	Channel Grading/Floodplain Bench	1580	CY	\$20	\$31,600
20	Seeding and Mutching	460	SY	\$1	\$460
21	Erosion Control	1	LS	\$50,000	\$50,000
22	Landscaping/fine grading	1	LS	\$10,000	\$10,000
23	Traffic Control	1	LS	\$20,000	\$20,000
24	clearing/grubbing	1	AC	\$15,000	\$15,000
25	Easement Plats	16	EA	\$3,000	\$48,000
				30% Contingency	\$300,921
				Total	\$1,304,000
				Design, Administration, Fiscal and Legal (30% of Construction Costs)	\$391,200

1 Cost for comprehensive grading includes roadway excavation, new cutting, construction of select material, and geotechnical recommendations.

2 Cost for utility conflicts includes all utilities that need to be moved including sanitary sewer and potable water lines. Additional survey may be required to locate pressurized utilities.

\$ 1,695,200

From WK Dickson 2008 East Erwin Drainage Basin Study

**Proposed Culvert Improvements  
Phase II  
Alternative 2  
Preliminary Opinion of Probable Construction Cost**

1	Mobilization (5% of total cost)	1	LS	\$134,100	\$134,100
2	Comprehensive Grading <sup>1</sup>	1	LS	\$30,000	\$30,000
3	Utility Conflicts <sup>2</sup>	1	EA	\$18,000	\$18,000
4	Bedding Material, Pipes	1430	TN	\$30	\$42,900
5	Aggregate Base Course	80	TN	\$40	\$3,200
6	Asphalt Replacement	70	TN	\$75	\$5,250
7	Masonry Drainage Structures	3	EA	\$1,800	\$5,400
8	Masonry Drainage Endwalls	70	CY	\$550	\$38,500
9	Frame with Grate	0	EA	\$300	\$0
10	Plain Rip Rap 24" Thick, Class I	610	TN	\$120	\$61,200
11	Filter Fabric for Rip Rap Apron	480	SY	\$7	\$3,202
12	8' x 4' Reinforced Concrete Box Culvert (RCBC) at Bayles St	45	LF	\$924	\$41,894
13	8' x 4' RCBC along Denim Dr	1405	LF	\$680	\$955,231
14	7' x 4' RCBC along Denim Dr	1405	LF	\$858	\$1,208,490
15	Twin 6' x 3' RCBC at St Matthews Rd	69	LF	\$622	\$43,106
16	4' x 4' RCBC at Denim Dr	44	LF	\$450	\$19,737
17	8' x 4' RCBC at Butch St	23	LF	\$924	\$21,252
18	Remove/Dispose Excess Excavation	1410	CY	\$50	\$70,500
19	Remove Existing RCP	1640	LF	\$20	\$32,800
20	Channel Grading/Floodplain Bench	350	CY	\$20	\$7,000
21	Seeding and Mulching	400	SY	\$1	\$400
22	Erosion Control	1	LS	\$50,000	\$50,000
23	Landscaping/fine grading	1	LS	\$10,000	\$10,000
24	Traffic Control	1	LS	\$2,000	\$2,000
25	clearing/grubbing	1	AC	\$15,000	\$15,000
26	Easement Plats	10	EA	\$3,000	\$30,000
				30% Contingency	\$853,848
				Total	\$3,700,000
				Design, Administration, Fiscal and Legal (30% of Construction Costs)	\$1,110,000
				Total	\$4,810,000

1 Cost for comprehensive grading includes roadway excavation, saw cutting, compaction of select material, and geotechnical recommendations.  
2 Cost for utility conflicts includes all utilities that need to be moved including sanitary sewer and potable water lines. Additional survey may be required to locate pressurized utilities.

\$4,810,000

From WK Dickson 2008 East Erwin Drainage Basin Study

Sincerely,



William W. Dreitzler, P.E.  
Town Engineer

**STATE OF NORTH CAROLINA  
COUNTY OF HARNETT**

**FIRE PREVENTION CODE ENFORCEMENT  
MUNICIPAL AGREEMENT  
TOWN OF ERWIN**

THIS AGREEMENT, made and entered into this first day of July, 2022, by and between the Town of Erwin, North Carolina, a municipal corporation organized and existing under the laws of the State of North Carolina (hereinafter, "Town") and the County of Harnett, North Carolina, a body politic and political subdivision of the State of North Carolina (hereinafter, "County").

**Witnesseth**

WHEREAS, Town is required to provide fire prevention code enforcement services according to N.C. General Statute § 160D-1105 and the North Carolina State Fire Prevention Code - Section 106; and

WHEREAS, County desires to provide to Town the required fire prevention code inspections and services; and

WHEREAS, Town and County have reached an agreement for County to provide fire prevention code inspections and services as described herein and the parties desire to set forth the terms and conditions in this Agreement.

NOW, THEREFORE, in consideration of the public safety and welfare, the mutual benefits, representations, and agreements contained herein and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree, each with the other, as follows:

1. County agrees to provide Town the following fire prevention code enforcement services within Town's territorial jurisdiction:
  - A. Fire prevention code enforcement within day care centers, rest homes, foster homes, and hospitals, when required by State or County agencies;
  - B. Non - residential and subdivision site plan approval for fire prevention code compliance, upon request from Town officials;
  - C. Response to complaints and requests for fire inspections of individual businesses;
  - D. Periodic Fire Prevention Code inspections in existing buildings, structures and premises to which the current North Carolina State Building Code, Fire Prevention, is applicable;
  - E. New construction plan review of fire protection equipment and certification of compliance inspections upon request from the appropriate building official(s) or contractor; and
  - F. Other fire prevention code enforcement inspections and services as may be required by State law.
  
2. Town agrees that County, by and through the Harnett County Fire Marshal's office, shall have the exclusive right to perform the above enumerated fire prevention code enforcement services for as long as this Agreement remains in force and effect. Town further agrees to fully cooperate with the Harnett County Fire Marshal's office in providing these services.



3. Town agrees that County will have and may exercise the same inspection and enforcement powers within Town's regulatory and extraterritorial jurisdiction as are applicable within County's jurisdiction.
4. This Agreement shall become effective July 1, 2022, subject to the mutual agreement of both parties, and shall continue for a period of three years from July 1, 2022 through June 30, 2025, unless terminated by either party in accordance with paragraph 8 of this Agreement.
5. Compensation for the services provided pursuant to this Agreement shall be \$11,176 for fiscal year 2023 and increase at a rate of three percent (3%) annually thereafter. County shall invoice Town each year for said services and each invoice is due and payable to County within thirty (30) days of the date of the invoice. Town shall pay an additional charge of one and one-half percent per month (18% annually), not to exceed the maximum rate allowed by law for any payment not received by County more than thirty (30) days from the date of invoice.
6. This Agreement, as written or as may be amended, shall be effective from the date first specified above.
7. The Town Attorney shall provide legal support and representation for Town for all enforcement actions taken by the Harnett County Fire Marshal's office on behalf of Town on issues arising from enforcement actions taken within and on behalf of Town's jurisdiction by the Fire Marshal. To the fullest extent allowable by North Carolina law, County shall have no liability regarding such enforcement actions and Town shall hold County harmless for any and all claims, liabilities, losses, damages, costs, or expenses of whatever kind arising out of or relating to the provision of services provided by County to Town hereunder, except for those acts caused by the negligence of County. To the fullest extent allowable by North Carolina law, County shall hold Town harmless for any and all claims, liabilities, losses, damages, costs, or expenses of whatever kind arising out of or relating to the provision of services provided by County to Town, except for those acts caused by the negligence acts or omissions of Town. Town and County waive special, incidental, indirect, or consequential damages, including lost profits, good will, revenues or savings, for claims, disputes or other matters in question arising out of or relating to this Agreement. This limitation of liability, covering matters contemplated by and occurring during the term of this Agreement, will survive the expiration or termination of this Agreement.
8. This Agreement may be terminated for any reason by either party upon advanced written notice to the other party, by certified mail at least ninety (90) days prior to the date of desired termination. Termination shall not relieve Town of financial obligations incurred prior to termination.
9. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against either Party.
10. In the event any provision of this Agreement is adjudged to be not enforceable or found invalid, such provision shall be stricken and the remaining provisions shall be valid and enforceable.
11. This Agreement represents the entire agreement between County and Town and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may only be amended by written instrument signed by County and Town.

12. All notices or other communications which shall be made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below, or (b) three (3) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

**To Town:**

Town of Erwin  
PO Box 459  
Erwin, NC 28339  
Attn: Town Manager

**To County:**

Harnett County Fire Marshal  
PO Box 370  
Lillington, NC 27546

**With a copy to:**

Harnett County Legal Services  
PO Box 238  
Lillington, NC 27546  
Attn: County Staff Attorney

Either party to this Agreement may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

13. This Agreement shall be governed by the laws of the State of North Carolina, The North Carolina State Courts located in Harnett County, North Carolina shall have jurisdiction to hear any dispute under this Agreement and legal or equitable proceedings by either party must be filed in Harnett County, North Carolina.
14. The relationship of the parties established by this Agreement is solely that of independent contractor, and nothing contained in this contract shall be construed to: (i) give any party the power to direct or control the day-to-day activities of the other; (ii) constitute such parties as partners, joint ventures, co-owners, or otherwise as participants in a joint or common undertaking; (iii) make either party an agent of the other for any purpose whatsoever; or (iv) give either party the authority to act for, bind, or otherwise create or assume any obligation on behalf of the other.

[Remainder of This Page Intentionally Left Blank]

## MINUTES CONTINUED FROM MARCH 24, 2022

### PLANNING/CODE ENFORCEMENT

Town Manager Snow Bowden stated in the proposed budget, that he included a salary for a Code Enforcement Officer and funds to hire a firm to complete a Comprehensive Land Use Plan. In the future, he would also like to hire a firm to help the Town with a UDO as well.

The Board was provided a copy of the updated contract for Fire Inspections and discussion continued as reviewing the contract.

Mayor Pro Tem Baker and Commissioner Blackmon contemplated having the Fire Department get certified to complete the Town's Fire Inspections.

The Board discussed obtaining quarterly reports of Fire Inspections completed in Erwin. They asked Town Manager Snow Bowden to obtain a copy of inspections completed by Harnett County in the last three years including the business and how often they were inspected.

The consensus of the Board was to have Commissioner Blackmon look at some numbers and speak with the Fire Department Board to see if this is something the Fire Department would be able to assist with. The Board asked Town Manager Snow Bowden to express their concerns with the contract to Rodney Daniels and Coley Price.

Mayor Pro Tem expressed his concerns about planning issues in Erwin and stressed the need for a planner.

All-way stop signs were discussed. A Public Hearing was held and a decision was made, and the consensus of the Board was to no longer discuss stop signs put in place by the Board.

The Board discussed contracting with a firm to review our planning.

Commissioner Blackmon recommended contacting Gina Clapp who retired from Holly Springs to review our planning for two or three days a week.

### ERWIN DEPOT

Town Manager Snow Bowden stated to have an assessment of the current structure and overall condition of the building would cost \$5,700.

Discussion continued among the Board.

The consensus of the Board was to contact the architectural firm that created the original plans, make sure the current drawings are up to current code, and ask for an estimate on how much it will cost so we can get the budget together and start working with USDA.

# RPA ENGINEERING, P.A.

## Structural Engineering Solutions

102 Regency Blvd., Suite A1, Greenville, NC 27834  
Ph. 252-321-6027 Fax 252-355-2179

Engineering License No. C-2734

---

January 2, 2022

Mr. Rick Collins, AIA  
Becker Morgan Group

### **Re: Structural Engineering Proposal for Erwin Depot Renovation**

Dear Rick:

We are pleased to provide this proposal for structural engineering services for the project noted above. The following proposal provides a brief description of the project, a summary of the engineering scope of work, and the proposed engineering fee and schedule for the project.

#### **Project Description**

The project involves renovation of an historic train depot in Erwin, NC which consists of 2 buildings. The existing freight depot building is 1-story wood framed structure that was built in 1907. The building has recently been relocated and installed on a new foundation system. The first floor framing was also replaced. The passenger depot, which was a separate connected building, was in poor condition and was demolished. A new passenger depot building will be constructed to replicate the old one. The buildings will be used as a museum. RPA Engineering's involvement in this project consists of providing structural design for the new passenger depot building and new exterior decks and ramps for the existing freight depot building. A summary of the work to be completed by RPA Engineering is included below in the Engineering Scope of Work.

#### **Engineering Scope of Work**

The structural engineering scope of work for this project consists of the following tasks:

- Perform initial site visit to examine existing conditions.
- Determine loads for the new building (gravity, wind, seismic).
- Perform follow-up site visit to assess structural condition of building and document problems that need to be corrected.
- Design framing and foundations for new passenger depot building.
- Design framing and foundations for decks and ramps at existing freight depot building.
- Generate structural drawings (approx. 3-4 drawings anticipated).

Assumptions/Clarifications:

- AutoCad Base drawings will be provided by Construction Systems Inc. for use in development of structural plans.

- It is assumed that there is no structural work to be done for the existing Freight Depot Building except for the new exterior decks and ramps.
- It is assumed that a geotechnical investigation will be performed and a geotechnical report will be issued which will provide recommendations for foundation type, allowable soil bearing pressure, compaction requirements, etc. Otherwise, values will be assumed for use in design of slab and foundations.
- The preparation of a specification manual is not included in this proposal. General material and construction specifications will be presented as general notes on the drawings.
- Construction administration services (submittal review, site inspections during construction, etc.) are not included but can be done on an hourly basis if needed.
- Special Inspections services are not included.

**Engineering Fee**

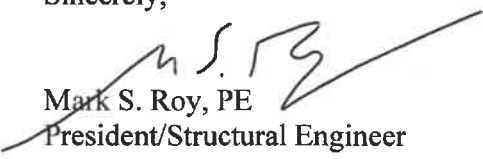
We propose to provide the services described above for a lump-sum fee of \$5,700. Any additions to the scope of work or changes made after the start of design which result in structural re-design will require additional fee. I will obtain written approval from you prior to proceeding with any additional work.

**Schedule**

We can begin work on this project immediately upon notification to proceed. We will establish a specific completion date with you prior to beginning work.

If you agree with the terms of this proposal, please sign below and return a copy to me. Our payment terms are net-30 days. We will invoice you each month based on the amount of work completed during the month. We appreciate the opportunity to present this proposal and look forward to working with you on this project. This proposal is valid until January 31, 2022. Please call me if you have questions or need additional information.

Sincerely,



Mark S. Roy, PE  
President/Structural Engineer

Proposal Acceptance:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## MEMORANDUM

To: Harnett County Board of Commissioners  
 From: Brian Haney, Assistant County Manager  
 Subject: American Rescue Plan Draft Funding Plan for Harnett County  
 Date: March 9, 2022

The American Rescue Plan Act of 2021 was signed into law on March 11, 2021. The American Rescue Plan (ARP) is a \$1.9 trillion package that includes \$362 billion in State & Local Fiscal Recovery Funds. Of that amount, nearly \$220 billion went to State governments, of which North Carolina received \$5.44 billion. Another \$130.2 billion is being distributed to cities, towns, and counties across the United States, including Harnett County.

Harnett County's total allocation from the American Rescue Plan is \$26,411,744. The County received the first half of \$13,205,872 on August 23, 2021, and will receive the second half no earlier than one year later. Funds must be used for costs incurred on or after March 3, 2021. Funds must be obligated by December 31, 2024, and expended with all work completed by December 31, 2026.

ARP funds may be used for any of four categories:

1. Support the COVID-19 Public Health and Economic Response
2. Provide Premium Pay for eligible workers performing essential work
3. Replace Public Sector Revenue Loss
4. Invest in Water, Sewer, and Broadband Infrastructure

Federal guidelines dictate eligible uses within each of the above categories. In addition to compliance with federal guidelines, the use of ARP funds must also comply with State law, which further restricts the use of ARP funds in North Carolina – particularly in the areas of Broadband and public assistance.

Over the past year, County staff have been engaged heavily with the UNC School of Government, North Carolina Association of County Commissioners (NCACC), and National Association of Counties (NACo), attending numerous webinars, courses, and other events in order to gain an understanding of the rules surrounding the use of ARP funding including eligible uses, policies and procedures that must be in place to use the funds, and reporting requirements. This guidance has continued to evolve as the U.S. Treasury released its Interim Final Rule and FAQ documents, and as the North Carolina General Assembly worked through the state budget process.

The State Budget was adopted on November 18, 2021, and included additional funds for local governments, as well as a limited expansion of Broadband authority, which allowed counties to use ARP funds to provide grants to Internet Service Providers (ISPs) to extend Broadband in unserved areas. The U.S. Treasury issued the Final Rule on American Rescue Plan funding on January 6, 2022. The Final Rule provides increased flexibility for the use of ARP funds in some areas including capital projects, restoring pre-pandemic employment, and providing a \$10 million standard allowance for revenue loss. The Final Rule goes into effect on April 1, 2022. Until that time, the Interim Final Rule remains in effect, however local governments may apply the Final Rule before April 1, 2022. These two developments allowed County staff to move forward with putting together a recommended proposal for the use of ARP funds.

In developing the attached draft funding plan for the use of Harnett County's ARP allocation, staff had the following goals:

- Using funds in a way that provides the most flexibility for the Board of Commissioners to address critical County needs and to strategically plan for the future
- Leveraging funds to maximize funding and reduce the burden on County taxpayers through the application for additional grants
- Minimize the administrative burden on staff
- Minimize the reporting burden

There were also number of additional considerations:

- **Lost Revenue Standard Allowance and Supplanting Funds** – The U.S. Treasury's Final Rule provides local governments with the option of using up to \$10 million of their ARP allocations for General Government purposes. While these funds must still comply with Uniform Guidance, their use is less restrictive than the remaining ARP allocation. Local governments are still allowed to calculate their estimated revenue loss over the course of the ARP period, and should that amount exceed \$10 million, they can use that number instead. The Finance Office is currently working to perform that calculation, however this recommendation uses the \$10 million standard allowance for lost revenue since we know that is the minimum amount of lost revenue we will have. In order to minimize the administrative and reporting burden on the County, staff recommends using this \$10 million for payroll and benefits for County employees. This will allow the \$10 million in General Fund revenue that would have otherwise been used for this purpose to be supplanted in order to provide greater flexibility for these funds to be used on other County needs. The result is that of the County's \$26,411,744 ARP allocation, \$16,411,744 must be used in accordance with ARP guidelines, and you will have the ability to use \$10,000,000 in supplanted ARP funds for any allowable General Government purpose.
- **Timing of Projects** – Staff also considered the timing requirements for the use of ARP funds when developing this funding proposal. During the Board's February 24, 2022, Planning Retreat, a number of projects were mentioned related to water and wastewater infrastructure. As noted above, investing in water and wastewater infrastructure is an allowable use of ARP funds, however funds must be expended with all work completed by December 31, 2026. As a result, certain projects are not eligible for ARP funding consideration because they would not be able to be completed by that deadline. Additionally, due to the federal guidelines that must be followed related to the use of ARP funds and the reporting burden, staff recommends that any funding allocated to Harnett Regional Water be allocated towards a single project rather than toward multiple projects, which will free up enterprise fund revenue for other priority projects. Harnett Regional Water Director Steve Ward has identified the expansion of the Northwest Harnett Wastewater Treatment Plant as the ideal use of these funds.
- **Assistance to Public and Nonprofit Organizations** – Since it was announced that the County would be receiving funds from the American Rescue Plan Act, staff have been approached by numerous community organizations seeking a portion of these funds, or for funds to be used to provide assistance to businesses and community organizations. While supporting the COVID-19 public health and economic response is an allowable use of ARP funds, the State of North Carolina limits the County's ability to provide this type of assistance as outlined in the memorandum from Senior Staff Attorney Chris Appel, which is included in this packet. In some

cases, the County does not have the ability to provide assistance (i.e. grants), and in others, the County does not currently have the staff capacity to implement additional programs. Additionally, Federal and State governments have made other funds available for public assistance programs, such as the Emergency Food and Shelter Program.

With all of the above considerations in mind, staff has developed the attached draft funding plan for Harnett County's ARP allocation for the Board's consideration and feedback. Staff believes this draft plan addresses critical needs of Harnett County's residents and provides Harnett County with the opportunity to complete a number of priority projects that are either currently unfunded or delayed until future years, and to proactively plan for the future.

The draft plan is intended to be a fluid document that may be adjusted over the coming months and years as additional information is obtained regarding the feasibility and cost of projects, and as County priorities shift. There are still a number of unknowns related to a number of items recommended for funding such as whether or not the County will receive grants from the GREAT or CAB programs to extend Broadband to unserved areas, what the actual costs will be for the capital projects listed, and whether or not the County will be successful in receiving grants to mitigate the drainage issues in the Riverside community. As such, a number of additional priority areas have been identified as potential areas where the Board may wish to allocate funding, should it become available.

Finally, this draft plan is offered subject to the Board's direction and public input. Following the presentation of this information to the Board at the March 15, 2022, work session, staff recommends providing an opportunity for public input during the Board's March 21 regular meeting. We will then bring the plan back before the Board at your March 29 work session to obtain any additional direction. At that point, the Board may approve the plan along with any revisions at the April 4, 2022, regular meeting if desired.

Please do not hesitate to reach out to me if you have any questions regarding the draft funding plan or any of the information included in this memorandum and supporting documentation.



## Harnett County ARP Draft Funding Plan

<b>ARP Eligible Projects</b>	<b>\$ 16,411,744</b>
COVID-19 Mitigation	
Broadband (GREAT & CAB Grant Matches)	\$ 2,750,000
Emergency (VIPER) Radio Replacement for County Government	\$ 2,493,599
Emergency (VIPER) Radio Replacement for Fire/EMS Departments	\$ 2,028,050
Courthouse 3rd Floor Upfit	\$ 3,914,894
DSS 2nd Floor Upfit	\$ 1,611,068
Lead for NC Fellow (Year 1)	\$ 25,000
Lead for NC Fellow (Year 2)	\$ 33,700
Harnett Regional Water NHWWTP Upgrade Contribution	\$ 5,000,000
Low Emission X-Ray Scanner for Detention Center	\$ 188,000
Providing Premium Pay for County Employees	
Restoring Pre-Pandemic Employment	
<b>TOTAL:</b>	<b>\$ 18,044,311</b>

<b>Lost Revenue Replacement</b>	<b>\$ 10,000,000</b>
Employee Salaries & Benefits	\$ 10,000,000

<b>Supplanted Lost Revenue Replacement</b>	<b>\$ 10,000,000</b>
Office 365 Cloud Migration (Cybersecurity)	\$ 1,160,252
Information Technology Fiber Extension (Cybersecurity)	\$ 230,750
Riverside Flood Project	\$ 500,000
Fixed Wireless Broadband Phase 2 Match	\$ 2,000,000
Funding for Harnett Regional Jetport	\$ 2,500,000
Funding for Greenway Development	\$ 1,000,000
<b>TOTAL:</b>	<b>\$ 7,391,002</b>

<b>Total ARP Funding</b>	<b>\$ 26,411,744</b>
<b>Total Identified Projects</b>	<b>\$ 25,435,313</b>
<b>Remaining Funding</b>	<b>\$ 976,431</b>

### Other Potential Projects

Purchase Land for Recreation  
 Board of Elections Replacement  
 Animal Shelter Replacement  
 Former Benhaven Two-Story Classroom Renovation  
 Additional Funding for Broadband  
 Solid Waste Convenience Sites

## Harnett County American Rescue Plan (ARP) Draft Funding Plan

### **Total received: \$26,411,744**

The County received half of its ARP allocation (\$13,205,872) in August 2021, and will receive the other half no earlier than August 2022. Funds must be encumbered by December 31, 2024, and spent by December 31, 2026. A portion of the County's ARPA allocation may be considered Lost Revenue Replacement, and may be used for any General Government purpose, however it must still follow Uniform Guidance. The standard allowance for Lost Revenue Replacement is \$10 million, however the County's Finance staff is attempting to calculate our actual Lost Revenue to determine whether that would result in more than \$10 million. For the purpose of this document, we will assume \$10 million in lost revenue, leaving \$16,411,744 that must be used for ARP eligible projects.

### **ARP Eligible Projects: \$16,411,744**

- **COVID-19 Mitigation**
  - The County was able to address the vast majority of its COVID-19 needs using displaced CARES Act funding, however there are still some COVID-19 related needs among the County's departments, which this funding may be used for if needed. Staff anticipates the amount of funding required for this purpose will be negligible.
- **Broadband (GREAT and CAB Grant Matches) \$2,750,000**
  - The General Assembly has encouraged and incentivized counties to use ARP funds to provide a match for the GREAT Grant and CAB programs, which are being implemented by the State. Staff recommends setting aside the maximum required match for these programs, should they be funded. This includes \$750,000 for the GREAT Grant and \$2 million for the CAB program. In the event the County is unsuccessful in pursuing these grants, these funds can be used for other purposes.
- **Emergency (VIPER) Radio Replacement for County Government \$2,493,599**
  - Harnett County invested in the VIPER emergency radio system in 2013 and purchased radios for all emergency responders, including fire departments and towns. The radios will be at the end of their useful life in 2025 and Motorola has stated it will end support of the radios in 2023. The State is also requiring that all radios on the VIPER network be upgraded by July 1, 2025. The replacement of 298 mobile and 288 portable county government radios is currently included in the County's 2023-2029 CIP in FY 2025 using a transfer of \$2,493,599 from capital reserves. The U.S. Treasury Final Rule classified the replacement of these radios as an eligible use of ARP funds. Using ARP to replace these radios will potentially free up additional capital reserve for other capital projects.
- **Emergency (VIPER) Radio Replacement for Fire/EMS Departments \$2,028,050**
  - As noted above, when the County invested in the VIPER emergency radio system in 2013, it purchased radios for all emergency responders, including fire departments and towns. The County issued debt to fund this purchase and communicated to the departments and towns that they would be responsible for funding the cost of future

replacements. In 2021, the Harnett County Chiefs Association applied for a federal grant to assist with upgrading the VIPER radio upgrade and was awarded a grant in the amount of \$836,010. In September 2021, the Chiefs Association submitted a request to the County for \$2,028,050 in ARP funding to complete the VIPER upgrade for Fire and EMS squads.

- **Courthouse 3<sup>rd</sup> Floor Upfit** **\$3,914,894**
  - The Harnett County Courthouse was completed in 2002 and included approximately 12,150 square feet of unfinished space on the third floor. The County is currently conducting a Space Needs Assessment that will include a feasibility study for the upfit of this unfinished space. An opinion of probable cost has been obtained for the space that estimates the upfit costing \$3,914,894. Per the U.S. Treasury Final Rule, ARP funds may be used for capital expenditures “that respond to the public health and negative economic impacts of the pandemic.” Written justification is required for capital projects of more than \$1 million. The Courthouse has seen significant impacts from COVID-19, and this upfit would address those issues by providing additional space for staff and citizens.
- **DSS 2<sup>nd</sup> Floor Upfit** **\$1,611,068**
  - The existing Department of Social Services building was constructed in 1996 and a two-story, 10,000-square-foot addition was completed in 2020. The second floor of the addition (approximately 5,000 square feet) was left unfinished, pending future growth. Social Services Director Paul Polinski has said this space is needed now to accommodate additional staff needs. The County is currently conducting a Space Needs Assessment that will include a feasibility study for the upfit of this unfinished space. An opinion of probable cost has been obtained for the space that estimates the upfit costing \$1,611,068. Per the U.S. Treasury Final Rule, ARP funds may be used for capital expenditures “that respond to the public health and negative economic impacts of the pandemic.” Written justification is required for capital projects of more than \$1 million. The Department of Social Services has seen significant impacts from COVID-19, including staff outbreaks which have required a staggered telework schedule at times, and this upfit would address those issues by providing additional space for staff.
- **Lead for North Carolina Fellow (2 years)** **\$58,700**
  - ARP funds may be used to cover staff assigned to help administer the program. The County Manager’s Office applied for and was accepted as a Lead for NC host site for the 2022-2023 program year to host a fellow who will assist with ARP grant administration and help identify other federal and state grant opportunities through ARP. The commitment is for one year with an optional second year. The total price to host a Lead for NC Fellow is \$54,000, however the County’s anticipated cost share is \$25,000 for the first year.
- **Harnett Regional Water NHHWTP Upgrade Contribution** **\$5,000,000**
  - County Management proposes providing \$5 million of the County’s total ARP allocation to Harnett Regional Water to be used for the North Harnett Wastewater Treatment Plant Upgrade project. Should additional ARP funding become available, additional funds may be contributed to this project as well.

- **Low Emission X-Ray Scanner for Detention Center** **\$188,000**
  - The Harnett County Sheriff's Office has requested to purchase a low emission X-ray scanner for the detention center that will assist with screening inmates for COVID-19 and also allowing staff to search for contraband at a safe distance. The total cost of this scanner is \$188,000, however the Sheriff's Office has agreed to contribute approximately \$85,000 from a grant received in the State Budget towards this purchase.
- **Providing Premium Pay for County Employees**
  - ARP funds may be used to provide premium pay to eligible workers performing essential work during the pandemic. Eligible employees include those who perform regular, in person work during the pandemic; who interact with others or physically handle items handled by others. Employees may receive up to \$13 per hour in additional wages or a maximum of \$25,000 per worker during the ARP period. Employers are encouraged to prioritize low and moderate income workers. While this is an option, the Board previously voted to provide all County employees with a one-time bonus using displaced CRF funds. Should the Board wish to provide premium pay, staff will review eligibility requirements and can provide a recommendation regarding positions that should be included.
- **Restoring Pre-Pandemic Employment**
  - ARP funds may be used to pay for payroll and covered benefits associated with increasing its number of budgeted FTEs up to 7.5 percent above its pre-pandemic baseline. Staff are currently working on determining what that number would be, however there is the potential for the salaries and benefits any new employees who are hired as part of the approved FY 2023 and FY 2024 budgets to be covered using ARP. This would mean that the County could either defer these costs associated with adding new positions through December 31, 2024, or could supplant additional funds that would have otherwise been spent on these positions to be used on other needs.

**Lost Revenue Replacement: \$10,000,000**

As noted above, the portion of ARPA considered as Lost Revenue Replacement may be used for any General Government purpose, however it must still follow Uniform Guidance. It is recommended that these funds be used for a purpose with minimal UG and reporting requirements, one of which is government employee salaries and benefits. It may be used for salaries and benefits going back to March 2021, however for the ease of reporting, staff recommends going back to July 1, 2021.

- **Public Safety Salaries & Benefits** **\$10,000,000**

**Lost Revenue Replacement (Supplanted): \$10,000,000**

- **Office 365 Cloud Migration (Cybersecurity)** **\$1,160,252**
  - Chief Information Officer Ira Hall has requested that the County transition to Office 365 due to Cybersecurity needs. Supplanted ARP Lost Revenue could be used to cover the cost of this transition for three years, from April 2022 through March 2025, at which time the County would need to identify General Fund revenue to continue.

- **Information Technology Fiber Extension (Cybersecurity)** **\$230,750**
  - The Harnett County 2023-2029 CIP includes a project to construct a one-mile fiber connection across the Cape Fear River in Lillington from 310 West Duncan Street to Alexander Drive to provide network redundancy. This one-mile fiber connection would provide a more resilient and redundant loop for the County's core data network and phone system. This project is currently included in the CIP as a funded project in FY 2028. The use of Supplanted ARP Lost Revenue would allow this project to move forward sooner.
  
- **Riverside Flood Project** **\$500,000**
  - Harnett County engaged a third party to conduct a watershed assessment of the Riverside Community, which determined it would cost approximately \$500,000 to mitigate some of the issues experienced by residents in this area. The County has applied for a pair of grants to complete this project, however staff recommends setting aside \$500,000 in Supplanted ARP Lost Revenue to complete this project in the event the County is unsuccessful in pursuing these grants. Should the grants be received, this funding would be available for other needs.
  
- **Fixed Wireless Broadband Phase 2 Match** **\$2,000,000**
  - The County is currently working with CloudWyze to complete the first phase of this project, which will provide fixed wireless Broadband to residents in Harnett County north of the Cape Fear River. The second phase of this project would address portions of the County south of the river. The County's half of this project would be approximately \$2 million.
  
- **Funding for Harnett Regional Jetport** **\$2,500,000**
  - Staff recommends setting aside \$2,500,000 in Supplanted ARP Lost Revenue to assist with projects at Harnett Regional Jetport to include completion of the new terminal and purchase of additional land for future expansion.
  
- **Funding for Greenway Development** **\$1,000,000**
  - The Board of Commissioners adopted the Harnett County Bicycle, Pedestrian, and Greenway Plan in January 2021 that identified priority greenway projects throughout the County. The CIP calls for annual contributions of \$100,000 to be set aside for greenway construction and development, however the state has estimated that on average greenways cost \$1 million per mile to construction. Staff recommends providing an appropriation of Supplanted ARP Lost Revenue to assist in building up the Greenway Trail Construction Capital Reserve to help expedite construction of greenways in the county.

**Other Potential Projects**

- Purchase Land for Recreation
- Board of Elections Replacement
- Animal Shelter Replacement
- Former Benhaven Two-Story Classroom Renovation
- Additional Funding for Broadband
- Solid Waste Convenience Site

---

---

**INTEROFFICE MEMORANDUM**

---

---

**TO:** BRENT TROUT, COUNTY MANAGER  
BRIAN HANEY, ASSISTANT COUNTY MANAGER

**FROM:** CHRIS APPEL, SENIOR STAFF ATTORNEY

**SUBJECT:** ARPA FUNDS AND GRANT PROGRAMS

**DATE:** JANUARY 20, 2022

The American Rescue Plan Act of 2021 (“ARPA”) allows for the expenditure of funds for a wide-array of options for responding to the COVID-19 pandemic, including “assistance to households, small businesses, and nonprofits, or aid to impacted industries.” However, before a North Carolina local government can expend the funds in accordance with the rules set forth by the Federal Government, it must also ensure that such expenditures comply with North Carolina law. If there is a conflict between state and federal law, the most restrictive rule must be applied.

Although ARPA permits the use of funds to assist businesses, households, nonprofits, and industries impacted by the pandemic, North Carolina law restricts to use of public funds for private entities. A local government is permitted to provide direct aid to individuals in need of assistance, but it cannot provide similar aid to a private business or nonprofit organization unless it is for a “public purpose” and the business or organization provides a public service in return for receipt of public funds. State law and multiple court cases have strictly prohibited a local government from simply making a gift or donation to a private entity. To determine if an expenditure serves a public purpose and is not an unconstitutional gift, the expenditure must meet a two-part test: (1) the activity must be reasonably connected to a legitimate government purpose and (2) the public must be the beneficiary, not an individual or private entity.

Under this two-part test, grants would be an impermissible use of public funds as private interests predominate since the recipient business does not have to pay back a grant and a public service is not provided in return. This would also include grants to nonprofits unless the purpose was to receive a valuable public service as a condition of receiving the grant (as was required when the County previously provided funding to nonprofits during the adoption of the annual budget). There is a limited exception to this rule, which are economic development incentive packages for businesses looking to locate substantial jobs and tax base that might otherwise be lost to other states. This exception would not apply to the situation at hand as ARPA funds are for COVID-19 disaster relief for established businesses. Local governments are also prohibited from funneling these funds to a nonprofit to manage a grant program as that nonprofit cannot do something that the appropriating governmental entity is legally prohibited from doing. Additionally, IRS only allows nonprofits to assist individuals, not other businesses.

Loan programs also present challenges; however, there is a legal argument that a disaster loan program could meet the two-part test since it (1) could serve a legitimate purpose so long as it does not compete with private lenders (i.e. interest rates at or above fair market rates) and is tailored to address the immediate emergency and (2) the repayment aspect of a loan may outweigh the private interest so long as the entity exhausts other commercial loan opportunities and still has a need for assistance to keep the business afloat and employees on the payroll. The issue with a loan program is management and resources of such a program. This would require strict oversight and

reporting requirements and enforcement measures for failing to comply. Such a program would be time consuming and put stress on currently available resources which would likely require additional staffing to manage it.

Due to the limitations set forth by State law and legal precedent, the use of ARPA funds for grants to private entities would be impermissible and a loan program would be a challenging endeavor for the County. Therefore, it would be my recommendation that ARPA funds be allocated for other permissible uses so long as those uses do not also conflict with North Carolina law.

72.00 in



36.00 in



**Sign & Awning  
Systems, Inc.**

**ERWIN COMMUNITY BUILDING**  
**36" x 72" Wall Sign**

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





**ERWIN COMMUNITY BUILDING**  
**44" x 97" ID Sign / 16" x 97" Daktronics Digital Display (15.85mm)**

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:**



# Annual Workplan (Q2-Q4, 2022)

## Harnett County Economic Development

Goal	Strategic Actions	Timeline
<b>(1.0)</b> Transition Harnett Co.'s public EDO to a public-private model	<b>(1.1)</b> Work with stakeholders to administer the recommendations outlined in the Sanford Holshouser Organizational Review and Enhancements Final Report.	Q2-Q3
<b>(2.0)</b> Enhance Harnett County's ability to recruit and retain companies through product development initiatives	<b>(2.1)</b> Identify and assess new land for future industrial expansion by leveraging economic drivers like the Harnett County Regional Jetport, major transportation corridors, and growth areas.	Q2-Q4 & into 2023
	<b>(2.2)</b> Explore speculative building development through public-private-partnerships to provide adequate places of business to capture companies locating and expanding through the State RFI process.	Q2-Q4 & into 2023
	<b>(2.3)</b> Increase shovel-readiness of County-owned business parks and privately-owned sites in close proximity to economic drivers by exploring State Certification, Duke Site Readiness, master planning, feasibility analysis, and infrastructure improvements. Certification & Feasibility Analysis ongoing for Edgerton Industrial Park.	Q2-Q4 & into 2023
<b>(3.0)</b> Increase economic development marketing efforts to promote Harnett County	<b>(3.1)</b> Create a new economic development website.	Q2-Q3
	<b>(3.2)</b> Coordinate updated photography for the new website and marketing.	Q2
	<b>(3.3)</b> Define Harnett County's labor-shed to understand regional population, educational attainment, degree and certificate programs, # of graduates within core educational programs, commuting patterns, and wages.	Q2
	<b>(3.4)</b> Hire a new marketing position to promote Harnett County's economic development priorities and assets.	Q3
	<b>(3.5)</b> Create new marketing material for target sectors (Life Sciences, Military & Defense, Manufacturing, Food & Beverage Processing, and Logistics & Distribution), business parks, quality of life, labor-shed/top employers, educational climate, Jetport, real estate market, and a general County piece.	Q4 & into 2023
	<b>(3.6)</b> Create a marketing plan for 2023. This plan will formalize marketing efforts to include social media, familiarization tours, website, downtown culture and events, target sector trade shows, area publications, and other aspects to best position and promote Harnett County for investment.	Q4

<b>Goal</b>	<b>Strategic Action</b>	<b>Timeline</b>
<b>(4.0)</b> Support existing Harnett County companies	<b>(4.1)</b> Inventory existing companies to update our employer database, understand their corresponding sector, number of employees, existing building size and age, customer base, suppliers, and other relevant information for connecting with various State and local resources.	Q2-Q4
	<b>(4.2)</b> Proactively conduct industry visits to County employers to assess workforce needs, space requirements, expansion opportunities, and illustrate incentives and other resources.	ongoing
	<b>(4.3)</b> Produce quarterly newsletter for distribution to employers promoting Commissioner Economic Development priorities, Harnett County's pro-business climate, workforce training and grant programs, highlighting employer success stories, and other info.	ongoing starting in Q2, 2022
	<b>(4.4)</b> Develop a BRE Program for 2023. This plan will formalize Business retention and expansion best practices to include identifying a team consisting of ED staff and partners, frequency of visits, information to be shared, and questions asked, formal employer events, and other aspects to foster a strong relationship between the County/Partnership and employers.	Q4
<b>(5.0)</b> Review of Economic Development Incentive guidelines	<b>(5.1)</b> Review the County's 2017 incentive guidelines and make recommendations to the Board of Commissioners regarding any revisions based on changes in business climate or amendments to the NC General Statutes governing local government appropriations for economic development. This specifically aligns with the recently adopted 2032 Harnett County Strategic Plan, goal and strategic action 4.1.	Q4 into Q1 2023
<b>(6.0)</b> Support Harnett County's 2022 Legislative Priorities	<b>(6.1)</b> Support Harnett County's 2022 Legislative Priorities regarding the Jetport, broadband expansion, natural gas expansion, and transportation infrastructure initiatives. Our office will be prepared to provide administrative and technical support to facilitate management of any grant funds, marketing, or other items related to these economic development priorities.	ongoing

\* Harnett County's 2022 Legislative Priorities are supported with strategic action steps 2.1, 2.2, 2.3, and 6.0.

\* Harnett County's 2032 Strategic Plan items are supported with strategic actions step 5.1.

\* Harnett County's 2021 Economic Development Strong Roots, Smart Growth Strategic Plan items are supported with strategic action steps 1.1, 3.5, 3.6, and 4.4.

## MINUTES CONTINUED FROM MARCH 24, 2022

### AMERICAN RESCUE PLAN

Town Manager Snow Bowden informed the Board that staff has sat in many classes for guidance on the American Rescue Plan. Erwin will be receiving 1.5 million dollars and it can be written off as lost revenue. The Town has already used some of the money to purchase a new street sweeper. There is also State money available as well for stormwater projects and we will be asking for 8.6 million in grants to complete to finish the East Erwin Variance Project. ARP funds must be appropriated by 2024 and spent by 2026.

The Board discussed improvements to Porter Park, Alwoodall Park, and our Stormwater system.

### LED SIGN

The Board instructed Town Manager Snow Bowden to put out bids to purchase a LED sign for Town Hall.

### ECONOMIC DEVELOPMENT

Town Manager Snow Bowden informed the Board that he met with the Harnett County Director of Economic Development, Christian Lockamy, and they had a great talk about Economic Development in Erwin. He stated Christian will do great things for Harnett County.

### ADA TRANSITION PLAN

Town Manager Snow Bowden made the Board mindful of the need for an ADA Plan. Once the Town has 50 employees, including part-time and Board Members, we must have an ADA Plan. Our intern and Town Clerk Lauren Evans are working on updating our Personnel Policy.

Discussion continued between the Board and Town Manager Snow Bowden.

### GOVERNING COMMENTS

Commissioner Turnage stated this was the most effective Budget Meeting he has ever been a part of. He is so proud to be from the Town of Erwin.

Commissioner McKoy stated Erwin will not fold. He was born in Dunn but he moved here in 1995 and he is just as proud as if he was born and raised in Erwin.

Mayor Pro Tem Baker stated the Lord has blessed the Town beyond what we needed. We are elected by certain people in Town but every problem in Erwin is the Board's responsibility.

Commissioner Blackmon stated since he has been on the Board, he has always had the mentality of the entire Town. We may be divided into 6 wards but it is the Town as a whole.

**MINUTES CONTINUED FROM MARCH 24, 2022**

Commissioner Turnage stated the house on the 300 block of Denim Drive is run down and made a showcase of that location.

The Board discussed the importance of the monthly Workshops when there is something controversial on the agenda or legal issues to discuss but if there is nothing important to discuss then we will cancel the Workshop.

The Board discussed going digital and purchasing laptops. Mayor Pro Tem and Commissioner Blackmon were for it and Commissioner Turnage and Commissioner McKoy preferred paper copies.

The vacancy of WARD 4 was discussed and the consensus of the Board was to be fair to the new members coming on the Board in June, the new Board will choose who is to fill the vacant seat at our June Board Meeting after being sworn in.

**ADJOURNMENT**

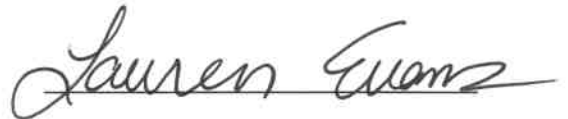
Commissioner Turnage made a motion to adjourn at 3:41 PM and was seconded by Commissioner McKoy. **The Board voted unanimously.**

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

**ATTEST:**



**Randy Baker**  
**Mayor**



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