

**THE ERWIN BOARD OF COMMISSIONERS  
JANUARY 2020 REGULAR MEETING  
THURSDAY, JANUARY 2, 2020 @ 7:00 P.M.  
ERWIN MUNICIPAL BUILDING BOARD ROOM**

**AGENDA**

**1. MEETING CALLED TO ORDER**

- A. INVOCATION
- B. PLEDGE OF ALLEGIANCE

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

**3. CONSENT (Page 2)**

*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 Regular Meeting on December 5, 2019 (**Page 2**)
- B. Financial Report for November 2019 (**Page 6**)
- C. Closed Session Minutes of August 2, 2019
- D. Pledge and Naming Rights Agreements for Erwin Parks and Recreation (**Page 8**)

**4. PUBLIC HEARING**

- A. Conditional Use to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC. (HC Tax PIN 1507-40-3993.000) (**Page 14**)
- B. Proposed Four Way Stop Sign at the Corner of North 10th Street and East I Street to Code of Ordinances Traffic Section 109 (**Page 36**)

**5. NEW BUSINESS**

- A. Presentation of Town of Erwin FY -2018-2019 Audit – Bryon Scott, CPA of Thompson, Price, Scott, and Associates PA (**Page 38**)
- B. Presentation from School Board (**Page 39**)
- C. PARTF Project Ordinance for Al Woodall Municipal Park (**Page 40**)

**6. MANAGER’S REPORT**

**7. ATTORNEY’S REPORT**

**8. 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*

**9. GOVERNING BODY COMMENTS**

**10. ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS  
REGULAR MINUTES  
DECEMBER 5, 2019  
ERWIN, NORTH CAROLINA

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The Board of Commissioners for the Town of Erwin with Mayor Carson presiding, held its Regular Meeting in the Town Hall on Thursday, December 5, 2019 at 7:00 P. M. in Erwin, North Carolina.

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

Board Members absent were: Commissioner Frankie Ballard.

Town Manager Snow Bowden and Town Clerk Cynthia Patterson were present.

Town Attorney Tim Morris was present.

Mayor Carson called the meeting to order at 7:00 P. M.

Commissioner McKoy gave the invocation.

Those present recited the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Commissioner Whitman made a motion to add under Consent Items (Item F) Budget Amendment BOA 2020—05 and was seconded by Commissioner McKoy. **The Board voted unanimously.**

### **CONSENT ITEMS**

Commissioner Turnage made a motion to approve **(Item A)** Approval of Regular Minutes of 11/07/19, **(Item B)** Financial Report Summary for October 2019, **(Item C)** Proclamation Commemorating Town of Erwin School Choice Week 2019-2020—006, **(Item D)** Planning Board Applications for In-Town Board Alternates, **(Item E)** Pledge and Naming Rights Agreements for Erwin Parks and Recreation, and **(Item F)** Budget Amendment BOA--05, and was seconded by Commissioner Baker. **The Board voted unanimously.**

*A copy of the Financial Report Summary for October 2019, Proclamation Commemorating Town of Erwin School Choice Week 2019-2020—006, Planning Board Applications for In-Town Board Alternates, Pledge and Naming Rights Agreements for Erwin Parks and Recreation, and Budget Amendment BOA—05 is incorporated into these minutes as **Attachment #1***

**MINUTES CONTINUED FROM DECEMBER 5, 2019**

**INDUCTION CEREMONY FOR RE-ELECTED & NEWLY ELECTED MEMBERS  
OF THE BOARD**

Judge Resson O. Faircloth administered the Oath of Office to the Re-Elected & Newly Elected Members of the Board.

Re-Elected Ricky Blackmon repeated the Oath of Office as Commissioner for Ward 2, accompanied by his wife Tina Blackmon holding the Bible.

Newly Elected Melinda Alvarado repeated the Oath of Office as Commissioner for Ward 4, accompanied by her husband Dominic and son Joshua holding the Bible.

Re-Elected William Turnage repeated the Oath of Office as Commissioner, accompanied by his wife Jean holding the Bible.

*A copy of the Oath of Office for Commissioners Blackmon, Alvarado and Turnage is incorporated into these minutes as **Attachment #2***

**ORGANIZATION MEETING OF THE BOARD OF COMMISSIONERS**

Mayor Carson informed the Board this is the time to elect a Mayor Pro Tem.

Commissioner Blackmon made a motion to reappoint Commissioner Randy Baker as Mayor Pro Tem and was seconded by Commissioner Whitman. **Motion Unanimously Approved.**

Judge Resson O. Faircloth administered the oath of office for Mayor Pro Tem to Commissioner Randy Baker.

*A copy of the Oath of Office for Mayor Pro Tem Randy Baker is incorporated into these minutes as **Attachment #3***

**RECESSED**

Commissioner Blackmon made a motion to recess at 7:10pm for 10-15 minutes for a reception for the reappointed and newly elected officials and was seconded by Commissioner Baker. **Motion Unanimously Approved.**

**RECONVENED**

Commissioner Turnage made a motion to go back into regular session at 7:25pm and was seconded by Commissioner Whitman. **Motion Unanimously Approved.**

**MINUTES CONTINUED FROM DECEMBER 5, 2019****NEW BUSINESS****CONSIDERATION OF MAYOR/BOARD OF COMMISSIONERS MEETING  
SCHEDULE FOR CALENDAR YEAR 2020**

Commissioner Baker made a motion to approve the 2020 Meeting Schedule for the Mayor/Board of Commissioners with the workshops at 6pm included and was seconded by Commissioner Alvarado. **Motion Unanimously Approved.**

*A copy of the 2020 Mayor/Board of Commissioners Meeting Schedule with Workshops is incorporated into these minutes as **Attachment #4***

**PLANNING AND ZONING/BOARD OF ADJUSTMENTS MEETING SCHEDULE  
FOR CALENDAR YEAR 2020**

Commissioner Baker made a motion to approve the 2020 Meeting Schedule for the Planning and Zoning/Board of Adjustments and was seconded by Commissioner Blackmon. **Motion Unanimously Approved.**

*A copy of the 2020 Planning Board Meeting Schedule is incorporated into these minutes as **Attachment #5***

**MANAGER REPORT**

- East Erwin Project, the majority of the work has been completed. A crew should be out soon to patch the sections of the road that had to be cut to install the drainage pipes. Currently trying to find a new rental for the current tenants at 209 Maye Street.
- Code Enforcement, the property at North 14<sup>th</sup> Street should be demolished this month. Other homes are on the list to be fixed as well. Started the process to get the old White House restaurant fixed or torn down.
- Al Woodall Park Grant, met with Duke Energy to look into what will need to be done to get power to Field #4 for the lights. Have received the signed grant back from the State.
- Erwin Depot, documents are still being prepared. Spoke with Joseph Beatty with the NC Dept. of Natural and Cultural Resources they are still working on the feasibility report for the potential to have a textile museum in Erwin.
- Audit presentation at the January 2, 2020 Board meeting

**MINUTES CONTINUED FROM DECEMBER 5, 2019****PUBLIC COMMENTS**

Bill Schuh came forward and thanked all the employees of the Town of Erwin for helping with the Christmas Parade.

**GOVERNING COMMENTS**

Commissioner Whitman informed the Town Manager of several potholes at the corner of Moulton Springs Road and South 14<sup>th</sup> Street. Still having problems with residents leaving trash containers out after trash is picked up. Would like Public Works to tag houses.

Commissioner Alvarado stated she was glad to be here and was ready to serve.

Commissioner Baker welcomed Commissioner Alvarado to the Board.

Commissioner Turnage thanked the citizen's in Ward 6 for allowing him to serve. Have a lot of good things coming to Erwin.

**CLOSED SESSION**

Commissioner Baker made a motion to go into a closed session at 7:42pm for the purpose of G.S. 143-318.11 Pursuant to General Statute 143-318.11(a) (6) for Discussion of Personnel Matter and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

**RECONVENED**

Commissioner Baker made a motion to go back into regular meeting at 7:47pm and was seconded by Commissioner Whitman. **The Board voted unanimously.**

**ADJOURNMENT**

Commissioner Baker made a motion to adjourn at 7:47pm and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY  
CYNTHIA B PATTERSON TOWN CLERK**

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**Patsy M. Carson,**  
Mayor

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**Cynthia B. Patterson, CMC**  
Town Clerk

TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 FOR MONTH ENDING NOV. 2019

	ANNUAL BUDGET	NOV ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,090,589.00	79,232.34	207,386.82	19.02%
CURRENT YEAR MOTOR VEHICLE TAXES	158,309.00	13,936.11	53,267.77	33.65%
PRIOR YEAR TAXES	10,000.00	278.02	9,368.65	93.69%
UTILITIES FRANCHISE TAXES	197,000.00		43,175.50	21.92%
ENTRY FEES	20,000.00	4,630.00	11,346.00	56.73%
SALES & USE TAX	650,000.00	59,083.33	302,824.13	46.59%
ZONING PERMITS/APPLICATIONS	10,000.00	1,090.00	3,890.75	38.91%
REFUSE COLLECTIONS FEES	391,180.00	34,193.47	155,303.63	39.70%
STORM WATER COLLECTION	63,930.00	5,382.50	22,590.00	35.34%
ALL OTHER REVENUES	1,362,941.04	157,460.06	550,800.76	40.41%
	<b>3,953,949.04</b>	<b>355,285.83</b>	<b>1,359,954.01</b>	<b>34.39%</b>
	ANNUAL BUDGET	NOV ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	51,815.00	2,771.78	12,093.36	23.34%
ADMINISTRATION	303,034.00	26,921.21	127,234.95	41.99%
NON-DEPARTMENTAL	265,338.00	41,810.43	177,669.36	66.96%
PLANNING & INSPECTIONS	123,741.00	7,058.99	16,654.42	13.46%
POWELL BILL-STREETS	182,000.00	1,000.00	33,278.67	18.28%
POLICE	839,300.00	78,798.60	321,378.95	38.29%
POLICE-SRO	123,797.00	9,372.21	47,431.61	38.31%
CONTRACT SERVICES-FIRE	233,254.00	10,643.82	34,457.03	14.77%
PUBLIC WORKS-ADMIN.	105,647.00	8,619.97	42,895.12	40.60%
PUBLIC WORKS-STREETS	941,100.73	168,889.10	386,083.53	41.02%
PUBLIC WORKS-SANITATION	318,902.00	32,075.21	127,032.06	39.83%
PUBLIC WORKS-STORM WATER	40,000.00	232.29	653.80	1.63%
RECREATION	348,464.31	22,573.59	128,454.70	36.86%
LIBRARY	59,256.00	5,290.38	21,636.68	36.51%
COMMUNITY CENTER	18,300.00	1,696.90	2,959.34	16.17%
	<b>3,953,949.04</b>	<b>417,754.48</b>	<b>1,479,913.58</b>	<b>37.43%</b>
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		<b>(62,468.65)</b>	<b>(119,959.57)</b>	

BALANCES AS OF NOV. 30, 2019	
CASH MANAGEMENT	784,638.86
BB&T CASH IN BANK	169,945.23
FIRST FEDERAL BUSINESS MONEY MARKET	135,607.59
FIRST FEDERAL MONEY MARKET	853,860.48
<b>Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS</b>	<b>1,944,052.16</b>
BB&T STATE FORFEITURE	1,583.97
BB&T FEDERAL FORFEITURE	
FIRST FEDERAL PORTER PARK PROJECT	
FIRST FEDERAL CAP. RESERVE/COMM. ENHANCEMENT	148,661.89
FIRST FEDERAL CAP. RESERVE/GENERAL	3,020,457.10
BB&T HEALTH RESERVE HRA ACCT.	20,156.97
PRIEBE FIELD ACCT.	10,576.72
<b>Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS</b>	<b>3,201,436.65</b>
<b>CUMULATIVE BALANCE FOR TOWN OF ERWIN</b>	<b>5,145,488.81</b>

<b>POWELL BILL BALANCE</b>	<b>355,910.30</b>
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TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 YTD COMPARISON OF FY 2020 & FY 2019



REVENUES	YTD		YTD DIFFERENCE
	Nov. 19	Nov. 18	
CURRENT YEAR LEVY OF PROPERTY TAXES	207,386.82	191,076.52	16,310.30
CURRENT YEAR MOTOR VEHICLE TAXES	53,267.77	49,618.84	3,648.93
PRIOR YEAR TAXES	9,368.65	5,833.04	3,535.61
UTILITIES FRANCHISE TAXES	43,175.50	43,546.91	(371.41)
ENTRY FEES	11,346.00	10,675.00	671.00
SALES & USE TAX	302,824.13	271,138.99	31,685.14
ZONING PERMITS/APPLICATIONS	3,890.75	3,490.00	400.75
PERMITS AND INSPECTION FEES	155,303.63	2765	152,538.63
REFUSE COLLECTIONS FEES	22,590.00	161,625.35	(139,035.35)
STORM WATER COLLECTION	16,167.00		(16,167.00)
ALL OTHER REVENUES	550,800.76	186,098.16	364,702.60
	<b>1,359,954.01</b>	<b>942,034.81</b>	<b>417,919.20</b>
			30.73%
EXPENSES	YTD		YTD DIFFERENCE
	Nov. 19	Nov. 18	
GOVERNING BODY	12,093.36	9,578.87	2,514.49
ADMINISTRATION	127,234.95	123,402.30	3,832.65
NON-DEPARTMENTAL	177,669.36	184,407.06	(6,737.70)
PLANNING & INSPECTIONS	16,654.42	21,117.68	(4,463.26)
POWELL BILL-STREETS	33,278.67	7,235.72	26,042.95
POLICE	321,378.95	335,605.34	(14,226.39)
POLICE-SRO	47,431.61		47,431.61
CONTRACT SERVICES-FIRE	34,457.03	12,698.26	21,758.77
PUBLIC WORKS-ADMIN.	42,895.12	41,736.83	1,158.29
PUBLIC WORKS-STREETS	386,083.53	159,802.77	226,280.76
PUBLIC WORKS-SANITATION	127,032.06	210,238.38	(83,206.32)
PUBLIC WORKS STORM WATER	653.80	3,102.86	(2,449.06)
RECREATION	128,454.70	130,761.91	(2,307.21)
LIBRARY	21,636.68	21,514.05	122.63
COMMUNITY CENTER	2,959.34	1,958.56	1,000.78
	<b>1,479,913.58</b>	<b>1,263,160.59</b>	<b>216,752.99</b>
		<b>(321,125.78)</b>	<b>321,125.78</b>
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)			17.16%

ACCOUNT BALANCES	YTD	
	Nov. 19	Nov. 18
CASH MANAGEMENT	784,638.86	592,675.13
BB&T CASH IN BANK	169,945.23	120,729.85
FIRST FEDERAL BUSINESS MONEY MKT.	135,607.59	134,333.34
FIRST FEDERAL MONEY MARKET	853,860.48	851,734.36
<b>Y-T-D BALANCE IN GENERAL FUND ACCOUNTS</b>	<b>1,944,052.16</b>	<b>1,699,472.68</b>
BB&T STATE FORFEITURE	1,583.97	1,583.97
FIRST FEDERAL CAP. RESERVE/COMMUNITY ENHANCE	148,661.89	124,152.81
FIRST FEDERAL CAP. RESERVE/GENERAL	3,020,457.10	3,012,936.05
BB&T HEALTH RESERVE HRA ACCT.	20,156.97	15,947.14
PRIEBE FIELD ACCT.	10,576.72	5,966.81
<b>Y-T-D BALANCE RESTRICTED FUNDS</b>	<b>3,201,436.65</b>	<b>3,160,586.78</b>
<b>CUMULATIVE BALANCE FOR TOWN OF ERWIN</b>	<b>5,145,488.81</b>	<b>4,860,059.46</b>

HARNETT COUNTY

NORTH CAROLINA

**PLEDGE AND NAMING RIGHTS AGREEMENT**

THIS PLEDGE AND NAMING RIGHTS AGREEMENT (hereinafter referred to as "Agreement"), made and entered into this 20 day of November, 2019, by and between the Town of Erwin, North Carolina, a municipal corporation (hereinafter referred to as "Town of Erwin") and Erwin IGA Inc., an individual/partnership/corporation/limited liability company (circle one), who is a resident of Erwin, Harnett County, North Carolina (hereinafter referred to as "Donor");

**WITNESSETH:**

**WHEREAS**, the Town of Erwin is renovating and constructing new facilities at Al Woodall Municipal Park in the Town of Erwin and, pursuant to terms of this Agreement, is granting certain naming rights to certain facilities within Al Woodall Municipal Park; and

**WHEREAS**, Donor wishes to acquire naming rights to the Field #2 facility, for the sum of \$ 100,000.00, subject to the terms and conditions set forth below; and

**WHEREAS**, the Town of Erwin wishes to grant to Donor, the naming rights to the Field #2, subject to the limitations set forth in this Agreement, for the aforementioned sum, subject to the terms and conditions set forth below;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained herein, the Town of Erwin and Donor agree as follows:

1. **GRANT OF NAMING RIGHTS:** The Town of Erwin does hereby grant to the Donor, the right to select a name for the Field #2 (Name of Facility) at Al Woodall Municipal Park, subject to the terms below.

The naming rights to the Field #2 are maintained by the Town of Erwin as a nonpublic forum. The Town of Erwin intends to preserve its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of Donor's name or message. The Town of Erwin may make distinctions on the appropriateness of donors on the basis of subject matter of a potential donor's recognition message. The Town of Erwin will not deny a donor the opportunity of placing a name or message on the basis of the potential donor's viewpoint. Donor's that are an organization or individual that is in engaged in any of the following activities, that has a mission of supporting any of the following subject matters, or that, in the sole discretion and judgment of the Town Council for the Town of Erwin, is deemed to be unsuitable for and contrary to community standards of appropriateness for government publications, shall be prohibited on any property of the Town of Erwin:



(a) promotion of the sale or consumption of alcoholic beverages, or promotion of establishments that are licensed to sell and primarily do sell alcoholic beverages, including bars; provided, however, that food service establishments or places of lodging may be authorized only when the sale of alcohol is incidental to providing food service or lodging;

(b) promotion of the sale or consumption of tobacco products;

(c) promotion of the sale of birth control products or services;

(d) commentary, advocacy, or promotion of issues, candidates, and campaigns pertaining to political elections;

(e) depiction in any form of profanity or obscenity, or promotion of sexually oriented products, activities, or materials;

(f) promotion of the sale or use of firearms, explosives, or other weapons, or glorifications of violent acts; and

(g) promotion or depiction of illegal products, or glorification of illegal products, activities, or materials.

Donor recognition through naming rights may identify the Donor but shall not promote or endorse the organization or individual or its products or services. Statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative description of products, services or organizations will not be accepted. Only the following content will be deemed appropriate:

(h) the legally recognized name of the Donor's organization;

(i) the Donor's organizational slogan if it identifies rather than promotes the organization or its products or services;

(j) the Donor's product or service line, described in brief, generic, objective terms;

The Town of Erwin will not make any statements that directly or indirectly advocate or endorse a Donor's organization, products or services. No use shall be made by Donor using the Town of Erwin's name, marks, or logo, without written approval from the Town Council of the Town of Erwin, after approval by the Town Attorney.

The Donor states that the intended name, logo or other identification which it wishes to display in the Naming of Field #2 is Charlie's IGA

The Donor acknowledges that this Agreement shall not be binding upon the Town of Erwin, until the Town Council for the Town of Erwin has approved the name, logo or other identification proposed by the Donor above.

Once the Town Council has approved the name, logo or identification chosen by the Donor and this Agreement has been executed by the Town of Erwin, Donor may not change the chosen name, logo or identification, except by the consent of the Town Council of the Town of Erwin.

Donor acknowledges that the naming rights granted hereunder shall last for a period of 25 years after the completion and opening to the public of the Field #2 facility at Al Woodall Municipal Park.

At the end of 25 years, the Town in its sole discretion may: (1) continue the existing use for an indefinite period of time; (2) seek another annual donation of up to \$500 from the same donor to continue the use for an indefinite period in its discretion; (3) may seek to add donors or replace existing donors by soliciting new pledges. If the Town opts for numbers above, and the Town seeks to replace existing donors or appropriate representation, then the current donor must be given an opportunity to extend the time the Town uses the existing plaque by pledging/donating an amount equal to the payment that completed the original pledge/donor agreement. If the original donor pays this amount the period of time will be extended five years. At the conclusion of this 5 year period, the Town retains sole discretion to repeat any process specified above. If a lump sum amount completed the entire pledge amount, then the sum of \$500 will extend the use by 5 years indefinitely.

2. **PAYMENT:** In consideration of the granting of naming rights, as set forth in Article 1 above, the Donor does hereby agree to pay to the Town of Erwin, the sum of \$ 100,000.00, as hereinafter set forth. This sum shall be due and payable, without interest, within ten (10) years of the date of this Agreement and shall be paid as follows:

In 2020	\$ <u>10,000.00</u>
In 2021	\$ <u>10,000.00</u>
In 2022	\$ <u>10,000.00</u>
In 2023	\$ <u>10,000.00</u>
In 2024	\$ <u>10,000.00</u>
In 2025	\$ <u>10,000.00</u>
In 2026	\$ <u>10,000.00</u>
In 2027	\$ <u>10,000.00</u>
In 2028	\$ <u>10,000.00</u>
In 2029	\$ <u>10,000.00</u>

Other schedule of intended payments: \_\_\_\_\_

Donor may prepay, in whole or in part, at any time during the pledge period, or may make payments towards the pledge in different denominations, or at different times, provided

that Donor must make at least an annual payment equal to the amount set forth above and the entire pledge must be paid by December 31, 2029.

All payments shall be due by December 31 of the year indicated above, with the first such payment being due on December 31, 2020. Checks should be payable to the Town of Erwin with "Recreation" in the memo portion of the check.

Once Donor has completed the payment of the full price, as identified above, it shall not bear any further expense in connection with the naming rights to the Field #2, unless the Donor should request to change the name of the Field #2 (if approved by the Erwin Town Council), in which event the Donor would be responsible for all costs associated with changing the signs.

3. **TERMINATION FOR NON-PAYMENT:** If Donor should fail to make any of the payments required hereunder, the Town of Erwin may terminate this Agreement, in its sole discretion, provided that the Town of Erwin has provided the Donor written notice of the failure to make the scheduled payment and the Donor has not cured the same within forty five (45) days.

In the event that this Agreement is terminated by the Town of Erwin, all monies paid to that date by the Donor shall remain the property of the Town of Erwin and shall be non-refundable. The Town of Erwin shall be entitled to remove the name, logo or identification chosen by the Donor from the civic and recreation facility permanently, and the Donor forfeits any rights which it may have acquired to the naming of the Field #2.

In the event that this Agreement is terminated by the Town of Erwin, the Donor shall not have any further liability or damages to the Town of Erwin.

4. **MAINTENANCE:** The Town of Erwin shall be responsible for the maintenance of the name, logo or identification chosen by the Donor, at its sole discretion. The Town of Erwin shall also be responsible for all maintenance for Al Woodall Municipal Park and its facilities as it deems necessary, from time to time, in its sole discretion, and Donor does not accept any responsibility for the maintenance of said facility.

5. **COST AND LOCATION OF SIGN:** The Town of Erwin shall be responsible for constructing and erecting the sign for the name, logo or identification of the Donor. The Town of Erwin shall have sole discretion in choosing the sign to be placed at any location in Al Woodall Municipal Park. However, the Town of Erwin shall consult with the Donor in making these decisions and will make reasonable efforts to accommodate the opinions of the Donor in this regard. In the event that the Donor wishes to have a sign that exceeds the budgeted amount by the Town of Erwin, if the sign is approved by the Town of Erwin, then the Town of Erwin and the Donor may negotiate any additional agreement for the cost of said sign at that time.

6. **BINDING EFFECT:** This Agreement shall be binding upon the Town of Erwin, the Donor, his or her or its successors and heirs.

7. **ASSIGNMENT:** This Agreement may not be assigned by the Donor, without the prior written consent of the Town of Erwin, which may be withheld, in its sole discretion.

8. **GOVERNING LAW & VENUE:** This Agreement shall be governed by and construed according to the laws of the State of North Carolina. In the event of a dispute or litigation related in any way to this Agreement, all parties hereby agree that the Superior Court of Harnett County, North Carolina shall be the appropriate venue for such litigation.

**IN WITNESS WHEREOF**, this Agreement has been executed, the day and year first above written, and sealed, by the duly authorized representatives of the Town of Erwin and Donor.

**DONOR:**

Mack McComb

(WRITE IN NAME OF DONOR)

BY:

Mack McComb  
Signature of Donor

Doug Stevens  
Witness

**TOWN OF ERWIN, NORTH CAROLINA**

BY:

Patsy M. Carson, Mayor

ATTEST:

Cynthia B. Patterson, Town Clerk

## NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following items Thursday, January 2, 2020 at 7:00 P.M. in the Town Hall Board Room located at 100 West F. Street, Erwin, NC. 28339.

- Conditional Use to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC. (HC Tax PIN 1507-40-3993.000)
- Proposed Four Way Stop Sign at the Corner of North 10th Street and East I Street to Code of Ordinances Traffic Section 109

All Persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the above mentioned time and place.

Cynthia Patterson, CMC, NCCMC  
Town Clerk

PUBLIC HEARING

Erwin Board of Commissioners  
REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
 From: Snow Bowden, Town Manager  
 Date: January 2, 2020  
 Subject: Conditional Use to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC.  
 (HC Tax PIN 1507-40-3993.000)

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A conditional use application has been submitted to operate a vehicular sales lot at 2408 Erwin Road with corresponding Harnett County Tax PIN# 1507-40-3993.000. In the proposed site plan the vehicles for sale would be parked directly in front of the building. Customer parking would be on the side of the building. The large green building in the back of the lot will not be used as a part of this proposed use.

The Planning Board recommended this conditional use be approved. They recommended it be approved with the parking surface being a suitable improved surface.

Attachments:

- CU-2019-08 Staff Report
- CU-2019-08 Application
- Site Plan
- GIS zoning district image
- GIS image

**Suggested Motions:**

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

1. I move to recommend that the proposed conditional use application:
  - a. Meets all the Findings of Fact in the Affirmative, or
  - b. Meets one or more of the Findings of Fact in the negative (If this motions is made, then the application would have to be recommended for denial.)
  
2. I move that:
  - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; or
  - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plan and other applicable plans, in that...(state reason(s) for nonconsistency).
  
3. I move that to recommend
  - a. Approval CU-2019-08 to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC. (HC Tax PIN 1507-40-3993.000), or
  - b. Denial of CU-2019-08 to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC. (HC Tax PIN 1507-40-3993.000), or
  - c. Approval of CU-2019-08 to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC. (HC Tax PIN 1507-40-3993.000) with additional conditions.....



# CONDITIONAL USE REQUEST STAFF REPORT

Case: CU-2019-08

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

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

Planning Board: 12/16/2019

Town Commissioners: 01/02/2020

Requested conditional use to operate a vehicular sales lot at 2408 Erwin Road with corresponding Harnett County Tax PIN 1507-40-3993.000

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## Applicant Information

### Owner of Record:

Name: Jim D Hartman  
Address: PO Box 387  
City/State/Zip: Coats, NC 27521

### Applicant:

Name: Angel Martinez  
Address: 504 Waterford Drive  
City/State/Zip: Clayton, NC 27521

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## Property Description

Harnett County Tax PIN 1507-40-3993.000  
Acres 1.1  
Zoning District-Highway Business (B-2) 99.99% and Residential 0.01%

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## Vicinity Map

- See Attached Document

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## Physical Characteristics

Site Description: Based on data from Harnett County GIS this is a structure that was built in 1960. The building is 930 square feet. There is a large metal building in the rear of the property that will not be utilized with this request to operate a vehicular sales lot.

Surrounding Land Uses: This parcel is located off of Erwin Road. It is surrounded by residential zoning on both sides. There are two parcels near the rear right side of the lot that are zoned business. There are parcels zoned residential and business across the street.

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## Services Available

- Harnett County Water and Sewer is available in the area. Duke Energy for electrical needs.

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## Zoning District Compatibility

Conditional Use	B2
Vehicular Sales and Rental	X

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## Staff Evaluation

### Staff Evaluation

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

- **Reasoning:** Vehicular sales and rental are permitted as a conditional use in the B-2 Zoning District.

### Definitions

1. Vehicular services means any building, premise, and land, in which or upon the primary use of land is a business which involves the maintenance or servicing of vehicles, including but not limited to: body shop; service station; garage service; golf cart repair, servicing and used cart sales; car wash; tire sales and mounting; auto detailing; towing service; transmission or muffler shop; and oil/lube servicing. Note: This does not include the storage of junked or abandoned vehicles; outdoor storage; or vehicular sales and rental.
2. Vehicular sales and rental means building, office, and lot for vehicles that are immediately available for sale and/or rental. This includes passenger vehicles, trucks and other motor vehicles. Note: This does not include vehicle services or outdoor storage.

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

- **Reasoning:** This proposed use would offer residents in Erwin another option to purchase a vehicle.

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

- **Reasoning:** The requested use will not impair the character of the surrounding area. The building is already built and this would be an improvement to a building that is currently vacant. There are similar uses on Erwin Road.

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

- **Reasoning:** This building/parcel is found in the area identified for medium intensity growth in the 2014 Land Use Plan. Low impact neighborhood businesses that serve the immediate needs of residents are a recommended use in this plan.

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

- **Reasoning:** This is an existing structure that already has all of the necessary utilities connected to the building.

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

- **Reasoning:** Town Staff has not been able to identify an existing NC DOT Driveway permit. If this application is approved, Town Staff would recommend a condition for this permit being that they have to obtain a driveway permit from NCDOT. In the application the applicant has shown they would like to place the cars that would be for sale in directly in front of the building (in between the building and Erwin Road). Customer parking would be on the left side of the building.



Yes  No

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

- **Reasoning:** One of the recommended conditions would be improvements to the parking lot. Potentially pave with an asphalt surface. The parking lot would then need to have parking spaces marked on the lot. There would need to be a parking space to be in compliance with ADA standards.

Attachments:

- GIS zoning district image
- GIS image
- CU-2019-08 application
- CU-2019-08 Staff Report

Need to Submit  
by 11/21/19



**TOWN OF ERWIN**

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

**CONDITIONAL USE APPLICATION**

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

Applicant Name	Angel Martinez	Property Owner Name	JIM HANAN
Mailing Address	504 Waterford Dr.	Mailing Address	PO Box 387
City, State, Zip	Clayton, N.C, 27520	City, State, Zip	Coats, NC 27521
Telephone	919-756-2330	Telephone	
Email		Email	

Address of Subject Property	2408 Erwin Rd.		
Parcel Identification Number(s) (PIN) of Subject Property	1507-40-3993.000		
Legal Relationship of Applicant to Owner	tenant	Floodplain SFHA	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Legal Description: Lot	Block	Subdivision	
Zoning District	B2	Wetlands	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Watershed Area
Public Water Available:	<input checked="" type="checkbox"/> or N	Public Sewer Available:	<input checked="" type="checkbox"/> or N Existing Septic Tank: Y or <input checked="" type="checkbox"/> N
Number of Buildings to Remain	1	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: use front building and parking lot for vehicular services no auto repair			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

TOWN OF ERWIN  
PAID  
18 NOV 2019  
Alcan

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

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

<b>Office Use Only</b>	
Date Application Submitted	1/18/19 Application Fee \$ 300 Received By SBL
Case #	CU-2019 -08

Snow Boulder  
910-591-4200  
~~Town Manager~~



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### Conditional Use Signature Page

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

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

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Conditional Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

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

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

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

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

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

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

Applicant Signature and Date:

 11/18/19



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

Property Owner (1) Jim A. Hartman  
Mailing Address PO Box 387 City Coats ST NC Zip 27521

Property Owner (2) Jason and Cullie Manning  
Mailing Address 329 Salt Market St. City Dunn ST NC Zip 28334

Property Owner (3) Jay and Tracy Hartman  
Mailing Address 3814 Noble Ave. City Richmond ST VA Zip 23022

Property Owner (4) Barbara West  
Mailing Address 616 Woodtown Rd. Dr. City Erwin ST NC Zip 28339

Property Owner (5) Jerry and Faye Bayles  
Mailing Address PO Box 343 City Erwin ST NC Zip 28339

Property Owner (6) CSTD LTD LLC  
Mailing Address PO Box 194 City Erwin ST NC Zip 28339

Property Owner (7) Derrick and Rachel Davis  
Mailing Address 2405 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (8) Jason and Ashley Luckett  
Mailing Address 2403 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (9) Ricky Aver  
Mailing Address 2401 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (10) Dean and Gail Lucas  
Mailing Address 2302 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (11) Rodney Lewis  
Mailing Address 746 Tinslake Dr. City Clinton ST NC Zip 28328

Property Owner (12) Lesia Ruynor  
Mailing Address 201 Ruynor St. City Dunn ST NC Zip 28334

Property Owner (13) Samuel ~~and~~ Wood and Ann Moss  
Mailing Address 305 W D St. City Erwin ST NC Zip 28339

*\* see staff report*

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

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_



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### CONDITIONAL USE APPLICATION PROCEDURES

1. Completed application for the Conditional Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the third Friday of the month prior to the following Planning Board meeting to ensure the application will be heard at the following Planning Board meeting. Planning Board meets on the third Monday of each month.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Conditional Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$250.
4. Planning Board reviews the application prior to the public hearing and makes recommendation to the Board of Commissioners.

#### Conditions and Guarantees

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

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

### Action by the Board of Commissioners

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

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





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### IMPORTANT

This is a complete Conditional Use Application package consisting of 11 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

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

#### Using the Zoning Ordinance

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



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### Processing Requirements

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

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

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

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

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 20 copies of this completed application. Each member of the Governing Board and Planning Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the third Friday of the month to be placed on following month's Planning Board Agenda. The Planning Board's recommendation will be presented during a Public Hearing for the Conditional Use Request. The Planning Board may revise its recommendation following the Public Hearing and present such recommendation to the Governing Board before the Governing Board takes action.

# Town of Erwin Record and Decisions

**Office Use Only**

Notice Mailed 12/17/2019

Property Posted 12/17/2019

Newspaper Advertised Date 12/19/2019  
12/26/2019

**Planning Board Motion**

Board Member Pat Cameron made a motion that the proposed conditional use application meets all the Findings of Facts in the Affirmative, is consistent with the Land Development Plan and recommends Approval of CU-2019-07 conditional use application to operate a Vehicular Sales Lot at 2408 Erwin Road HC TAX PIN# 1507-40-3993.0000 and was seconded by Board Member Ronald Beasley. **Motion Unanimously Approved.**

**Certified By:** Cynthia Patterson, Town Clerk

**Record of Decision:**

	Yea	Nay
Pat Cameron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ronald Beasley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alan West	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy Price	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Norman Avery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Shean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Billy Howell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Public Hearing Date and Comments:** \_\_\_\_\_

A Public Hearing is scheduled for Thursday, January 2, 2020 at 7pm at Town Hall 100 West F. Street, Erwin in the Board Meeting Room.

**Governing Body Motion**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certified By:** \_\_\_\_\_

**Record of Decision:**

	Yea	Nay
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certified By:** \_\_\_\_\_

## Lot Plan

Date: November 18, 2019

To: Town of Erwin

I Angel Martinez am requesting the use of 2408 Erwin Rd. for the use of a small retail used car lot.

- 1) The front of the building will accommodate up to (4) used cars for sale.
- 2) A removable posts with chain will be used to enclose the "For Sale" vehicles
- 3) The side of the building will be used for customer parking area with parking spot stopper. for up to (4) cars.
- 4) A sign will be placed in the form of a removable banner in front of building under the awning.

Harnett GIS





**Harnett**  
COUNTY  
FOUNDED 1842

GIS/E-911 Addressing  
November 26, 2019

-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property
-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport
-  Major Roads
-  Interstate
-  NC
-  US
-  Mile\_Markers
-  Railroad




1 Inch = 94 feet



NAME

PARKING

DRIVEWAY

ERWIN RD.

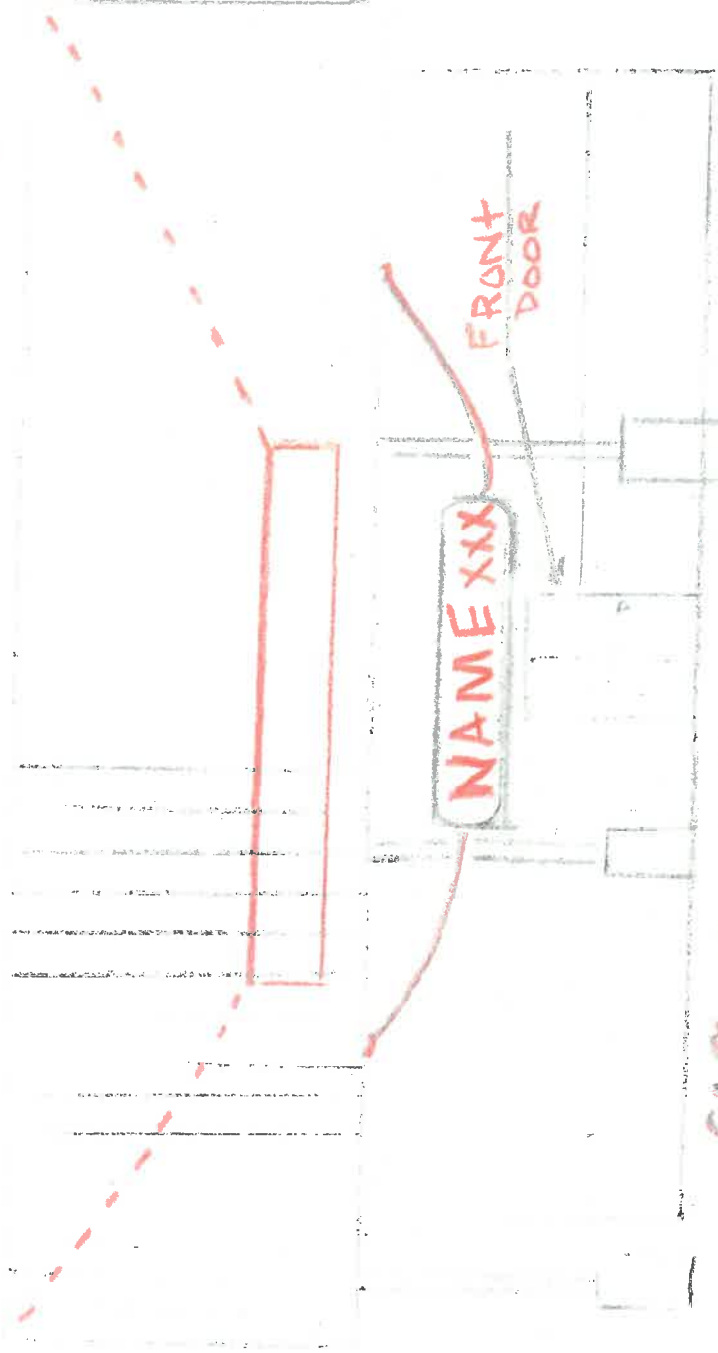
FRONT DOOR  
PARKING



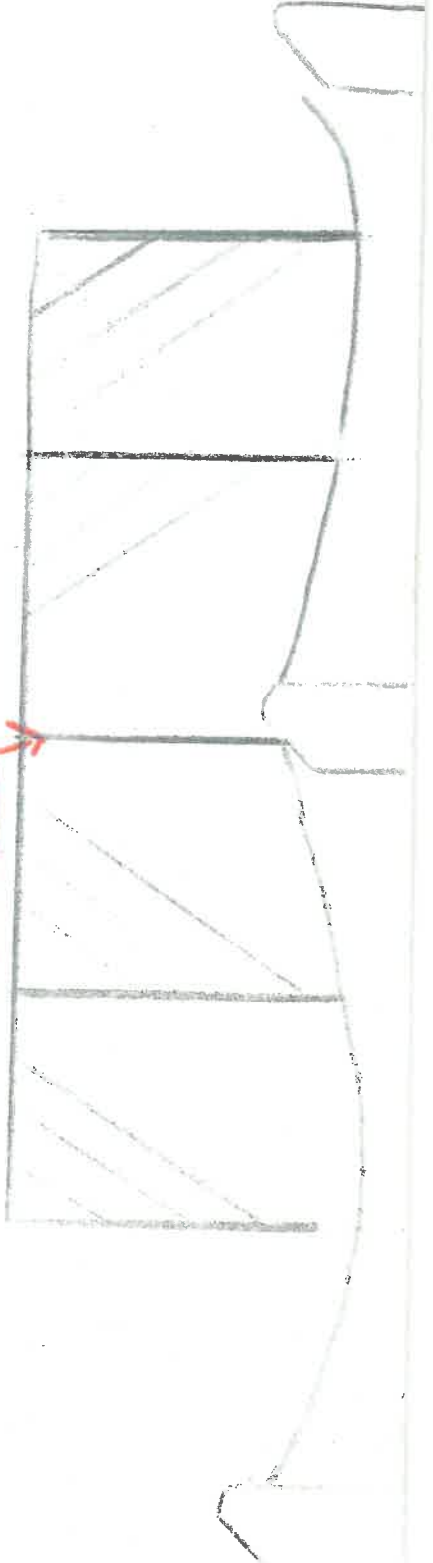
SIDE OF BUILDING

Front of Business

CUSTOMER PARKING  
4 SPACES

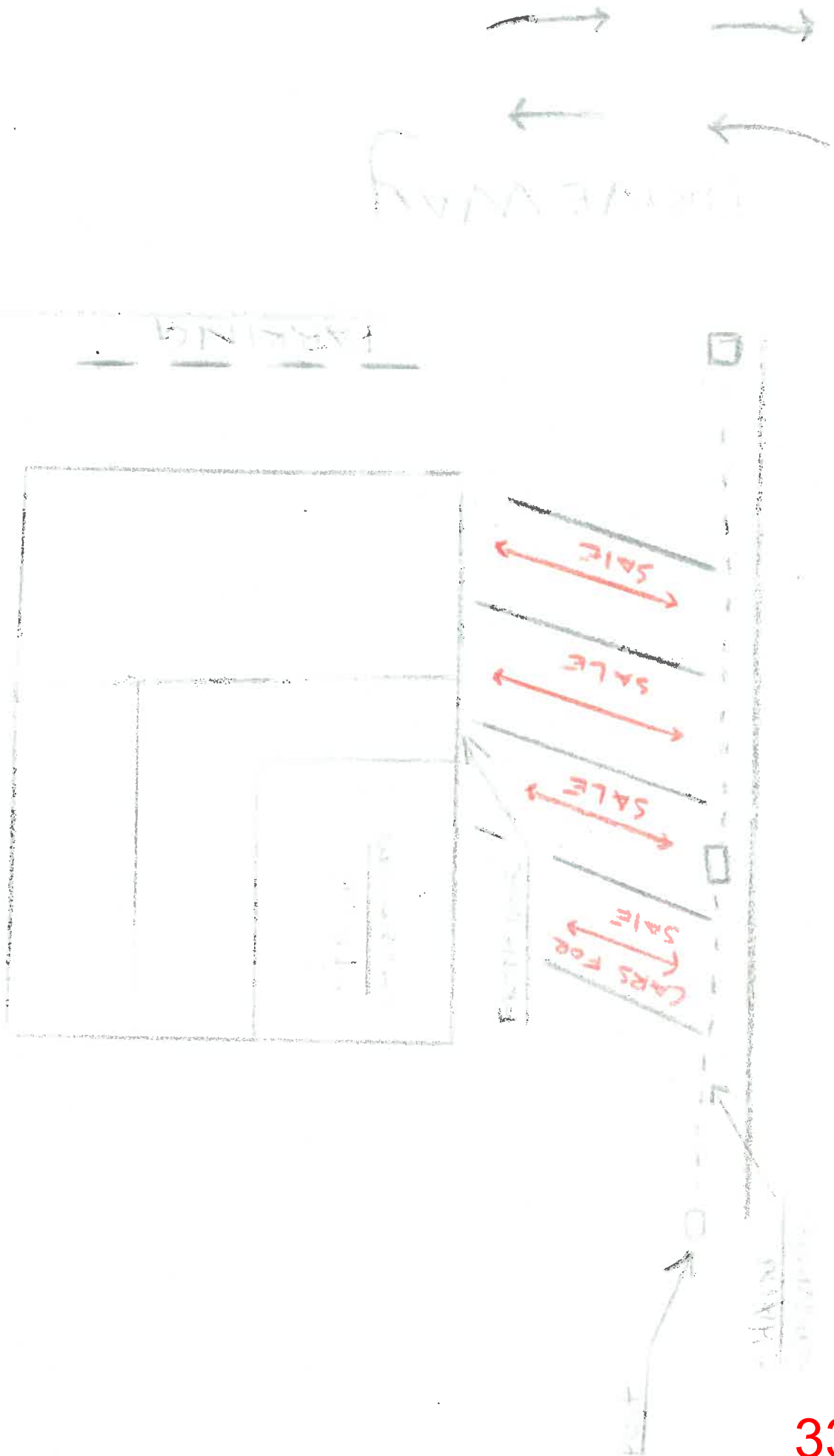


CARS SHOWN HERE

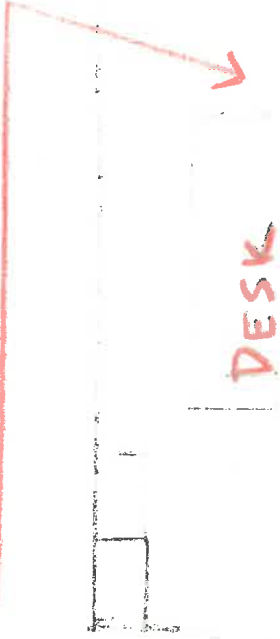




TOP VIEW



INSIDE TOP VIEW



DESK

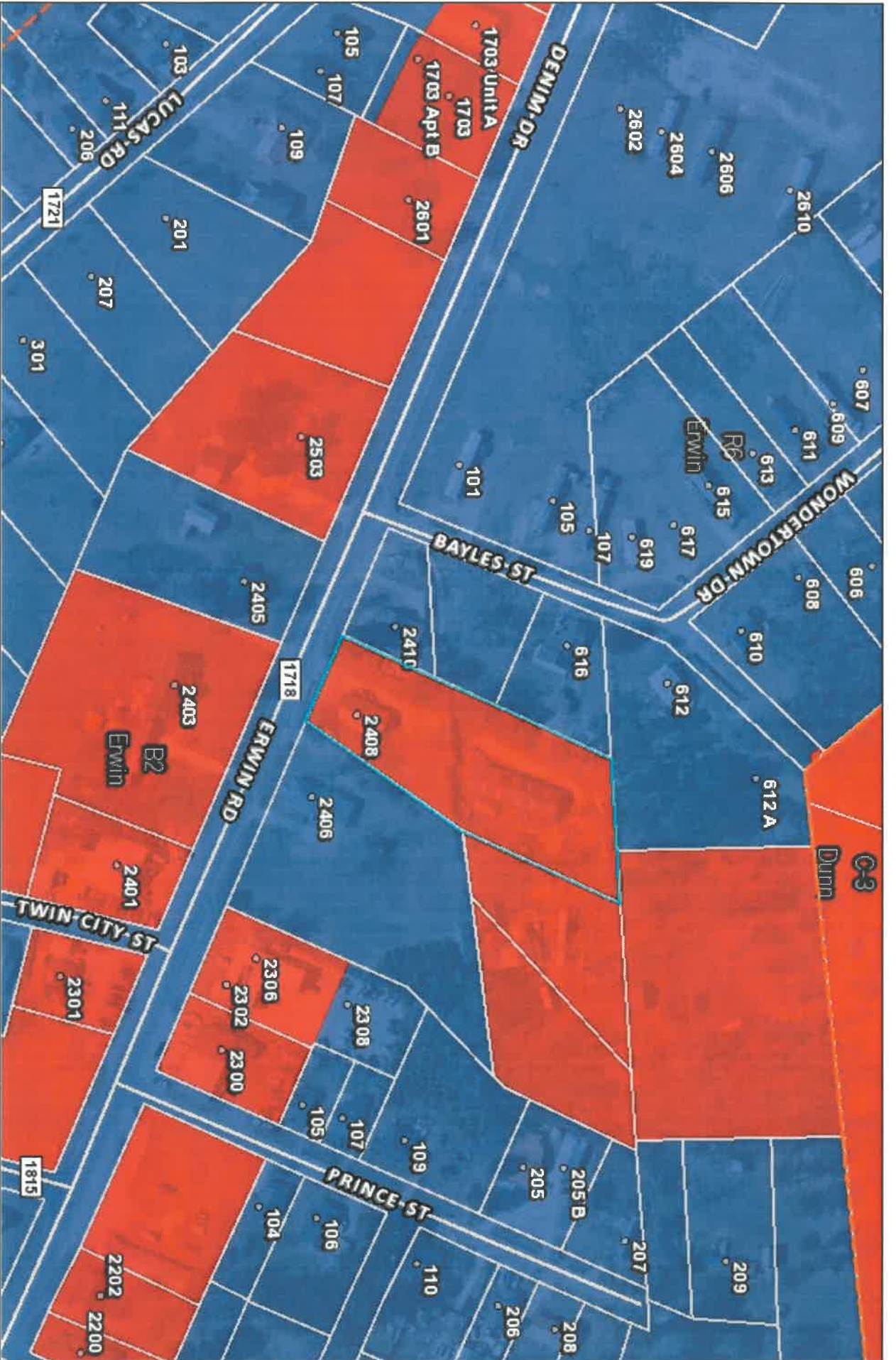
SHOW ROOM

PARKING  
CARS FOR SALE

PARKING  
CARS FOR SALE




PARKING  
CARS FOR SALE

Harnett GIS








GIS/E-911 Addressing

November 26, 2019

-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property

-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport

-  Major Roads
-  Interstate
-  NC
-  US
-  Roads

-  Mile Markers
-  Railroad



1 inch = 188 feet

PUBLIC HEARING

**Erwin Board of Commissioners**  
REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: January 2, 2020  
Subject: Proposed Four Way Stop Sign at the Corner of North 10th Street and East I Street  
to Code of Ordinances Traffic Section 109

---

During the October 2019 Planning Board meeting we had a discussion involving four-way stop signs. I had received a request to discuss putting a four-way stop sign at the intersection of East I and North 12<sup>th</sup>. This request was primarily due to the increased traffic/parking around the Erwin Presbyterian Church. The Erwin Presbyterian Church did close a while back but a new congregation is using this church that is also affiliated with the Presbyterian Church. There is a lot more traffic in that area as a result of the new tenants. The Town has received complaints about speeding on East I Street as well.

After some discussion amongst the Planning Board we decided that a four-way stop sign could be beneficial on this street. The Planning Board recommended to put it at the intersection of East I and North 10<sup>th</sup> Street. There is already a caution light at this intersection. Another reason was that it is more centrally located on the street so it should slow people down more compared to it being posted on the first block of the street from North 13<sup>th</sup> Street.

During this discussion we discussed the other four-way stop signs that were placed around town back in 2016/2017. These signs might be revisited as well at a later date.



# TOWN OF ERWIN

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

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

## AN ORDINANCE AMENDING THE ERWIN TOWN CODE TRAFFIC APPENDIX 1 TO SECTION 109

ORD 2019-2020: 004

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ERWIN:**

**WHERE AS**, Sec. 109 Traffic Appendix 1 Intersections at which "stop" is required before entering (see section 32-168):

Adding the following:

**(202)** North 10th Street and East I Street

Add a stop sign in both the East and West direction(s)

**WHERE AS**, this ordinance shall be effective upon adoption.

**Duly Adopted**, this the 2<sup>nd</sup> day of January, 2020.

---

Patsy Carson,  
Mayor

**ATTEST:**

---

Cynthia Patterson, CMC/NCCMC  
Town Clerk

NEW BUSINESS

## Erwin Board of Commissioners

### REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: January 2, 2020  
Subject: Presentation of Town of Erwin FY -2018-2019 Audit – Bryon Scott, CPA of Thompson, Price, Scott, and Associates PA

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Bryon Scott with Thompson, Price, Scott, Adams & Co., PA is here to present the Town of Erwin's Annual Budget Audit for the Fiscal Year 2018-19. Overall, it was a good report our auditors did not find any weakness in our financial reporting. Similar to previous years, the main deficiency that was found was segregation of duties in our Financial Department. Due to our small staff that is a limited number of personnel to handle all of the duties that are required in a financial department. This could lead to transitions being mishandled. We have taken some steps to segregate duties as much as possible other than hiring additional staff members.

Attachments:

- Audit Presentation

Action Recommended:

- Approve the audit for the Fiscal Year 2018-19

NEW BUSINESS

## Erwin Board of Commissioners

### REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: January 2, 2020  
Subject: Presentation on the new Erwin Elementary School

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Tonight we will have a special presentation on the new Erwin Elementary School. Mr. Thomas Hughes from SfL+a Architects is here to make the presentation. Mr. Hughes is the main architect that will be overseeing this project. Harnett County Schools Superintendent Dr. Fleming will be in attendance as well.

NEW BUSINESS

## Erwin Board of Commissioners

### REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: January 2, 2020  
Subject: PARTF Project Ordinance for Al Woodall Park

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The Town was awarded a PARTFF grant for the improvements at Al Woodall Park. The PART-F Grant is a 50-50 matching grant. The Town will have to pay for the project and submit reimbursement request(s) as the project proceeds. The Town will receive \$339,678 from PARTF funding. Doug Stevens has raised \$195,000 in pledged donations over the next ten years. We are still working on raising more money as well. If we obtain any more donation pledges we will ask for an amendment to this project ordinance.

Attachments:

- Project Ordinance

Action Recommended:

- Approve the project ordinance so we can get this project started





# TOWN OF ERWIN

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

## A GRANT PROJECT ORDINANCE FOR TOWN OF ERWIN AL WOODALL MUNICIPAL PARK IMPROVEMENTS

ORD: 2020-005

**BE IT ORDAINED** by the Board of Commissioners of the Town of Erwin, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project is authorized for the renovations of Al Woodall Municipal Park.

Section 2. The Officers of this unit are hereby directed to proceed with the grant project within the terms of the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

N.C. PART-F Grant	\$339,678
Fund Balance	\$144,678
Donations	\$195,000
<b>Total</b>	<b>\$679,356</b>

Section 4. The following amounts are appropriated for the project:

Account	Project	Amount
24-0800-101	Field 2 Renovation	\$356,300
24-0800-102	Field 4 Lighting Project	
\$63,000		
24-0800-103	Splash Pad	\$171,444
24-0800-104	Planning	\$59,074
24-0800-105	Contingency	\$29,538
Total		\$679,356

Section 5. The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting required by any financing agreement associated with this project and/or State and Federal regulations.

Section 6. The Finance Director is hereby directed to report quarterly on the financial status of each project element and on the financial status of each project element and on the total revenues received or claimed.

Section 7. This Grant Project Ordinance shall be entered into the minutes of the Board after adoption and copies thereof shall be filed with the Town Clerk

Adopted this 2<sup>nd</sup> day of January 2020.

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Patsy Carson,  
Mayor

**ATTEST:**

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Cynthia Patterson, CMC/NCCMC  
Town Clerk