

**THE ERWIN BOARD OF COMMISSIONERS
AUGUST 2021 REGULAR MEETING
THURSDAY, AUGUST 5, 2021 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARD ROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance
2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
3. **CONSENT**

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

 - A. Minutes of Special Called Meeting on July 1, 2021 (**Page 2**)
 - B. Financial Report for June 2021 (**Page 10**)
 - C. Budget Ordinance Amendment BOA 2022-01 (**Page 12**)
4. **PUBLIC COMMENT**

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers. §160A-81.1
5. **PRESENTATION OF AUGUST CITIZEN OF THE MONTH**
6. **PUBLIC HEARING**
 - A. SU-2021-001 (**Page 13**)
7. **NEW BUSINESS**
 - A. Good Hope Hospital Donation (**Page 32**)
 - B. American Rescue Plan (**Page 33**)
8. **CLOSED SESSION**
 - A. Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel
 - B. Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege
9. **MANAGER’S REPORT**
10. **ATTORNEY’S REPORT**
11. **GOVERNING BODY COMMENTS**
12. **ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS

SPECIAL CALLED MINUTES

JULY 1, 2021

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Pro Tem Randy Baker presiding held its Special Called Meeting in the Erwin Municipal Building Board Room on Thursday, July 1, 2021, at 7:00 P.M. in Erwin, North Carolina.

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

Board Members absent were: Mayor Patsy Carson

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

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to remove CU-2021-004 from the agenda. The applicant withdrew their application.

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

CONSENT

Commissioner Turnage made a motion to approve **(ITEM A)** Minutes of Regular Meeting on June 3, 2021 **(ITEM B)** Financial Report for May 2021 **(ITEM C)** Alternate Planning Board Member Rebecca Kelly Application and was seconded by Commissioner McKoy. **The Board voted unanimously.**

MINUTES CONTINUED FROM JULY 1, 2021

PUBLIC COMMENT

Preacher Won, Pastor of Erwin United Methodist Church, came forward and addressed the Board. He asked the Board on the behalf of Erwin churches, for a central location that they can help the poor and needy people.

PUBLIC HEARING

ZT-2021-005

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

Town Manager Snow Bowden informed the Board that the Town received a rezoning request for parcel 142 Riverview Road which is in our planning zone. The request is to move the conservation district in the 500-year flood plain to the 100-year flood plain. The applicant wants to build 2-3 homes but understands that they all have to be on individual lots.

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

The applicant, Bryan Sharpe, came forward and was sworn in by Town Clerk Lauren Evans.

Mayor Pro Tem Randy Baker asked Mr. Sharpe to briefly go over, for the record, what he is requesting from the Board.

Mr. Sharpe stated that he is requesting to have the property rezoned so his family can put a house on the property. Right now, it is in the Conservation Zone so they cannot build there. They are asking to have that removed so they can build two homes on the land that is zoned conservation current.

Commissioner Whitman asked how he plans to hook up County Water to the property.

Mr. Sharpe stated they plan to have a well and septic for both properties.

Commissioner Blackmon asked how he planned to access the property.

Mr. Sharpe stated there are multiple accesses but they are unsure what way they are going to go yet. There is Canoe Lane, Roosevelt, or Beaver Road.

Mayor Pro Tem Randy Baker asked if there will still be agricultural use on the property.

Mr. Sharpe stated yes, only less than 20% will be taken away from agriculture.

MINUTES CONTINUED FROM JULY 1, 2021

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

Gwendoline Jones came forward and was sworn in by Town Clerk Lauren Evans.

Ms. Jones came forward and asked the Board whether this request will extend the city limits.

The Board unanimously assured Ms. Jones that they as a Board, right now, have no future plans of expanding the city limits at this time.

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

Commissioner Blackmon made a motion to approve the Statement of Consistency for ZT-2021-005 and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner Blackmon made a motion to approve the Ordinance for Map Amendment Case #ZT-2021-005 Amendment to the Official Zoning Map to Rezone from Conservation to Rural District (RD) per Zoning Ordinance Article XXIII for Harnett County PIN 0587-81-7777 and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

NCGS 160D Updates

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

Town Manager Snow Bowden informed the Board that Town Staff has worked with the Planning Board and our Town Attorney on doing the mandatory updates to get our Ordinances in line with 160D. We may need to come back with some more changes in the coming year. The main changes are to the language. A Conditional Use is now a Special Use. He asked for the Board's approval.

Mayor Pro Tem Randy Baker asked if anyone would like to come forward and speak for, against, or ask a question in regards to the proposed NCGS 160D Updates.

No one came forward.

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

Commissioner Blackmon made a motion to approve the NCGS 160D Resolution on Statement of Consistency Erwin Board of Commissioners and was seconded by Commissioner Whitman. **The Board voted unanimously.**

MINUTES CONTINUED FROM JULY 1, 2021

Town Manager Snow Bowden stated he is happy to meet with anyone from the public who has questions and the updates are available at Town Hall for inspection.

LED SIGN PROPOSED TEXT AMENDMENT

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

Town Manager Snow Bowden stated this is a text amendment prepared by Town Staff that would allow LED Signs at churches, schools, community centers, and Town Hall. LED signs are much more affordable now. It is a good way to get the word out there. LED signs can be changed electronically from anywhere and can advertise more than a regular sign can. The Planning Board recommended striking letter D for advertisement purposes of events in the community even if it is not related to the institution, the school advertising denim days for example.

Mayor Pro Tem Randy Baker asked if anyone would like to come forward and speak for, against, or ask a question in regards to the proposed LED Sign Text Amendment.

Dwight Keen of Erwin United Methodist Church came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Keen stated he spoke with Town Manager Snow Bowden about changing their church's sign. He stated their sign is 36 years old and is unsafe to change anymore. He stated the sign they are proposing is the same size as the sign they have now. They are ready to move forward, they just need the approval.

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

Commissioner Blackmon stated he does not have a problem with striking out letter D but he is concerned about how the Board would enforce that. He stated LED Signs would be cost-effective and better advertisement.

Mayor Pro Tem Randy Baker stated technology is changing and we should be able to utilize that and allow our churches and community centers this type of signage.

Commissioner Blackmon made a motion to approve the Ordinance of the Town of Erwin, North Carolina Amending 36-548 sign permitted in all districts and 36-549 Business Signs Ordinance 2021-2022: 002 and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

MINUTES CONTINUED FROM JULY 1, 2021

PROPOSED 4-WAY STOP SIGN

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

Town Manager Snow Bowden stated the Town Staff have received several complaints of speeding on St Matthews Road. There has been heavy police presence on St. Matthews Road but they cannot be there all the time. It is 25 mph and some people drive 55 mph. The Planning Board did recommend a 4-way stop at St. Matthews Road and Wondertown Drive and a 3-way stop at St. Matthews Road and Pope Street. He stated blinking warning signs will be needed to inform people who are used to flying down that road. He and Chief Johnson agreed it would be best.

Mayor Pro Tem Randy Baker asked Chief Johnson to come forward and give his input.

Chief Johnson stated it is his opinion that these proposed stop signs will help to slow people down. He and his staff will do everything they can to educate the public and enforce the laws the best they can.

Mayor Pro Tem Randy Baker asked if anyone would like to come forward and speak for, against, or ask a question in regards to the proposed 4-way stop signs.

No one came forward.

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

Commissioner Blackmon asked Chief Johnson how soon the signs will go up and whether we will have information signs before it goes up.

Chief Johnson stated he recommends flashing warning signs being out prior to the stop signs going up. He will get together with Town Manager Snow Bowden and Public Works Director Mark Byrd to see how soon we can get the warning signs up.

Town Manager Snow Bowden stated we could get a “New Traffic Pattern” sign up next week and give the public a week’s notice.

Chief Johnson stated the Police Department will put some educational articles on their Facebook page.

Mayor Pro Tem Randy Baker stated these signs are solely in the interest and safety of the people living on this road. It is a narrow road, heavily populated with children and people are not patient enough to drive 25 mph.

MINUTES CONTINUED FROM JULY 1, 2021

Commissioner McKoy stated there is a speeding problem on West K Street and North 14th street and in the future, he would like to have a 4-way stop put at that intersection too.

Commissioner Blackmon made a motion to approve an Ordinance amending the Erwin Town Code Traffic Appendix 1 to Section 109 Ordinance 2021-2022: 003 and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Commissioner Blackmon made a motion to approve an Ordinance amending the Erwin Town Code Traffic Appendix 1 to Section 109 Ordinance 2021-2022: 004 and was seconded by Commissioner Whitman. **The Board voted unanimously.**

Town Attorney Tim Morris left the meeting at 7:43 PM.

CLOSED SESSION

Commissioner Alvarado made a motion to go into Closed Session in Pursuant to General Statute 143-318.11 (a) (6) for the Purpose of Discussing Personnel at 7:44 PM. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

RECONVENED

Commissioner Turnage made a motion to go back in regular session at 7:58 PM. and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

MANAGER'S REPORT

Town Manager Snow Bowden stated we are still waiting on detailed information regarding the American Relief Plan. He was hopeful that the Town will receive the first tranche payment later this month. He wished everyone a good Fourth of July.

PUBLIC COMMENT

Mayor Pro Tem Randy Baker asked the Board to entertain the idea of reopening the Public Comment section for the remainder of the meeting as there were people present who came in late and did not have the opportunity to speak.

Commissioner Turnage made a motion to reopen the Public Comment section and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

MINUTES CONTINUED FROM JULY 1, 2021

Rev. Thomas Greene, of First Baptist Church in Erwin, came forward and addressed the Board. He is working alongside Pastor Won to find a centralized location in Erwin to be able to deal with many issues. They are starting an organization called Echo to bring churches together called Erwin Churches Helping Others. Their hope and prayer are to find a place where they can advocate for the people in Erwin who need it.

Daryl Creach, from 3rd Street in Erwin, came forward and informed the Board of the problems in his neighborhood. He thanked the Police Department for coming every time he or his neighbors call. He stated they have problems with dilapidated housing, people are living in the houses without running water. Houses beside or across the street are keeping him up at all hours of the night.

Commissioner Blackmon informed Mr. Creach that the Town just implemented a Code Enforcement Officer in our budget so he is hopeful that will help address those problems. He asked him to give some names and addresses to Town Manager Snow Bowden.

Mayor Pro Tem Randy Baker stated the Board has recognized and designated funding to help staff address those exact issues but COVID has thrown the Board a curveball and there are state regulations that we cannot step over, such as evicting people.

Tammy Tyndall of 2nd Street came forward and expressed her concern for her children living in their neighborhood. She stated it is not safe and her husband finds used needles on the ground all the time when he mows the grass. She wanted to know what the Town plans to do to help her and her family.

Brenda Weaver of 3rd Street came forward and informed the Board that she and her neighbors put up cameras because the neighborhood is so bad. Only an average day, her cameras go off two hundred times. She stated people are parking in her driveway and refuse to leave, drug deals are going on all day long. There are people at the front of the road who watch and warn when cops are coming. She stated no one can sleep, there are constantly gunshots going off and someone is going to get shot. She asked that the dead-end sign be put back up on her road. Her husband is disabled and has heart problems. People block the road and she is worried that the rescue squad will not be able to get to her home. She stated they need help and they do not know what to do.

Mike Hall of Erwin 55 years came forward. He stated he is addressing the Board to establish Echo in Erwin. He asked if we are listening to people to respond to them or do we listen to people to hear them? He stated this is not the same Erwin it used to be, we cannot solve our problems overnight but as a Town, we can come together and get involved and help each other.

Eddy Tyndall of 2nd Street came forward and stated he just provided the addresses to the Town Manager and he knows it cannot change overnight but they need help. He commended Erwin Police for all their help but they can only do so much. He stated Law Enforcement arrested a

MINUTES CONTINUED FROM JULY 1, 2021

man that was going around and setting fires to people's houses and the man was back on the streets the next day. He stated people are throwing dirty needles and dirty underwear in his yard. He just wants Erwin and his road to being back to something to be proud of.

Commissioner Turnage stated people should not have to live in the ways he had heard at this meeting. He asked the citizens to come back in a couple of months to inform them if the Town was able to help them or not. He stated the Board and Chief Johnson should make it go away.

Mayor Pro Tem Randy Baker thanked the Board for opening up Public Comment again and thanked the citizens for coming to speak.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 8:34 P.M. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

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

ATTEST:

Patsy Carson
Mayor

Lauren Evans
Town Clerk

Town Of Erwin

Financial Summary Report
YTD Comparison of June FY 2020 & FY 2021



PAINT PICK UP FEES

	YTD		DIFFERENCE
	June 2021	June 2020	
Revenues			
CURRENT YEAR LEVY OF PROPERTY TAXES	1,160,178.00	1,137,002.17	23,175.83
CURRENT YEAR MOTOR VEHICLE TAXES	183,578.00	149,211.28	34,366.72
PRIOR YEAR TAXES / Penalties & Interest	30,800.00	13,006.45	17,793.55
UTILITIES FRANCHISE TAXES	187,518.00	192,554.57	(5,036.57)
ENTRY FEES	11,475.00	19,031.00	(7,556.00)
SALES & USE TAX	789,770.00	716,944.58	72,825.42
ZONING PERMITS/APPLICATIONS	16,325.00	7,575.75	8,749.25
REFUSE COLLECTIONS FEES	447,667.00	386,092.18	61,574.82
STORM WATER COLLECTION	60,681.00	60,082.50	598.50
ALL OTHER REVENUES	794,573.00	1,566,987.36	(772,424.36)
	\$ 3,682,565.00	\$ 4,248,497.84	(565,932.84)
Expenditures			
GOVERNING BODY	22,916.00	29,465.53	(6,549.53)
ADMINISTRATION	263,830.00	293,375.56	(29,545.56)
NON-DEPARTMENTAL	264,019.00	259,837.08	4,181.92
PLANNING & INSPECTIONS	33,601.00	64,857.22	(31,256.22)
POWELL BILL-STREETS	164,235.00	46,893.71	117,341.29
POLICE	802,114.00	781,447.39	40,666.61
POLICE-SRO	75,455.00	105,425.20	(29,970.20)
CONTRACT SERVICES-FIRE	253,033.00	243,254.11	9,778.89
PUBLIC WORKS-ADMIN.	102,412.00	97,009.85	5,402.15
PUBLIC WORKS-STREETS	251,090.00	1,041,520.28	(790,430.28)
PUBLIC WORKS-SANITATION	345,801.00	315,978.33	29,822.67
PUBLIC WORKS-STORM WATER	13,845.00	3,035.51	10,809.49
RECREATION	289,534.00	287,566.42	1,967.58
LIBRARY	64,482.00	53,790.41	10,691.59
COMMUNITY CENTER	12,517.00	15,222.19	(2,705.19)
	\$ 2,958,884.00	\$ 3,618,678.77	(659,794.77)

	YTD		YTD
	June 2021	June 2020	
BANK ACCOUNT BALANCES			
CASH MANAGEMENT	1,929,976.78	1,278,470.74	
BB&T CASH IN BANK	332,264.27	382,312.84	
FIRST FEDERAL BUSINESS MONEY MARKET	136,533.43	136,097.03	
FIRST FEDERAL MONEY MARKET	856,586.66	854,875.19	
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,255,361.14	\$ 2,651,765.80	
BB&T STATE FORFEITURE	4,246.64	3,691.32	
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	189,023.55	163,335.71	
FIRST FEDERAL CAP. RESERVE/GENERAL	2,348,888.31	2,344,195.25	
BB&T HEALTH RESERVE HRA ACCT.	17,420.93	13,446.59	
PRIEBE FIELD ACCT	9,922.53	10,776.72	
AL WOODALL PARK IMPROVEMENTS	337,940.85	416,356.99	
Y-T-D BALANCE RESTRICTED FUNDS	\$ 2,907,442.81	\$ 2,951,802.58	
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 6,162,803.95	\$ 5,603,568.38	

TOWN OF ERWIN
FINANCIAL SUMMARY REPORT
FOR MONTH OF June 2021



REVENUES	ANNUAL BUDGET	June-21 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,103,178.00	8,665.00	1,160,178.00	105.17%
CURRENT YEAR MOTOR VEHICLE TAXES	174,370.00	15,392.00	183,578.00	105.28%
PRIOR YEAR TAXES / Penalties & Interest	10,000.00	2,146.00	30,800.00	308.00%
UTILITIES FRANCHISE TAXES	198,000.00	50,697.00	187,518.00	94.71%
ENTRY FEES	18,000.00	240.00	11,475.00	63.75%
SALES & USE TAX	585,000.00	78,584.00	789,770.00	135.00%
ZONING PERMITS/APPLICATIONS	5,000.00	1,345.00	16,325.00	326.50%
REFUSE COLLECTIONS FEES	403,898.00	37,349.00	447,667.00	110.89%
STORM WATER COLLECTION	69,830.00	4,926.00	60,681.00	86.77%
ALL OTHER REVENUES	778,900.35	14,233.00	794,573.00	102.27%
	3,344,076.35	213,577.00	3,662,565.00	110.12%
EXPENDITURES	ANNUAL BUDGET	June ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	25,315.00	1,776.00	22,916.00	90.52%
ADMINISTRATION	307,049.00	18,625.00	263,830.00	85.92%
NON-DEPARTMENTAL	286,571.00	15,470.00	264,019.00	92.13%
PLANNING & INSPECTIONS	89,072.00	596.00	33,601.00	37.72%
POWELL BILL-STREETS	202,000.00	2,700.00	184,235.00	81.30%
POLICE	840,807.35	59,038.00	802,114.00	95.40%
POLICE-SRO	116,640.00	4,820.00	75,455.00	64.58%
CONTRACT SERVICES-FIRE	252,767.00	4,710.00	253,033.00	100.11%
PUBLIC WORKS-ADMIN.	103,091.00	8,701.00	102,412.00	99.34%
PUBLIC WORKS-STREETS	352,704.00	25,449.00	251,090.00	71.19%
PUBLIC WORKS-SANTATION	348,112.00	30,021.00	345,801.00	99.34%
PUBLIC WORKS-STORM WATER	15,000.00	1,565.00	13,845.00	92.30%
RECREATION	323,919.00	32,856.00	289,534.00	89.39%
LIBRARY	67,694.00	6,869.00	64,482.00	95.26%
COMMUNITY CENTER	13,135.00	988.00	12,517.00	95.30%
	3,344,076.35	214,184.00	2,956,884.00	88.48%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		(607.00)	723,681.00	

BANK BALANCES AS OF June 2021	
CASH MANAGEMENT	1,929,976.78
BB&T CASH IN BANK	532,284.27
FIRST FEDERAL BUSINESS MONEY MARKET	136,533.43
FIRST FEDERAL MONEY MARKET	856,586.96
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	3,265,361.44
BB&T STATE FORFEITURE	4,246.64
BB & T CAPITAL RESERVE/COMM ENHANCEMENT	189,023.55
FIRST FEDERAL CAP. RESERVE/GENERAL	2,346,888.31
BB&T HEALTH RESERVE HRA ACCT.	17,420.93
PRIEBE FIELD ACCT.	9,922.53
AL WOODALL PARK IMPROVEMENTS	337,040.85
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS	2,907,442.81
CUMULATIVE BALANCE FOR TOWN OF ERWIN	6,162,803.95
POWELL BILL BALANCE	\$295,692.57

**BUDGET ORDINANCE AMENDMENT
BOA 2022 - 01
FISCAL YEAR 2021-2022**

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. This Budget Ordinance Amendment seeks to transfer \$54,280.00 between Departments to account for underestimated line item expenses and overestimated line-item expenses. These transfers will allow the 2021-2022 Department Budgets to be in balance.

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

No Changes

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation

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

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-6200-450	Recreation: Contract Serv.	\$6,275.00	\$20,000.00	\$26,275.00
10-4350-450	Planning: Contract Serv.	\$38,280	<-\$20,000.00>	\$18,280.00
10-5100-060	Police Depart. Ins.	\$79.00	\$34,280.00	\$34,359.00
10-4350-450	Planning: Contract Serv.	\$18,280.00	<-\$9,280.00>	\$9,000.00
10-4201-540	Non Dept: Ins. & Bonds	\$93,519.00	<-5,000.00>	\$88,519.00
10-4201-040	Non Dept: Professional Serv.	\$37,760.00	<-10,000.00>	\$27,760.00
10-4201-150	Non Dept: Maint/Repair Grounds	\$15,000.00	<-10,000.00>	\$5,000.00

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

Adopted this 5th day of August 2021.

ATTEST:

Patsy Carson, Mayor

Lauren Evans, Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 5, 2021

Subject: SU-2021-001

The Town has received a Special Use Permit application to use a parcel that does not have an address but is located off of Erwin Access Road. The parcel can be identified by its Harnett County PIN # 1507-15-7836.000. The applicant has requested to use this parcel for the outdoor storage of vehicles and equipment.

Attachments:

- SU-2021-001 Application
- SU-2021-001 Staff Report
- SU-2021-001 Property Owners Notified
- Harnett County GIS Image No Zoning
- Harnett County GIS Image Zoning Overlay
- Harnett County GIS Image Wetlands Overlay



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

PAID

JUL - 9 2021 *check 2510*

SPECIAL USE PERMIT APPLICATION

TOWN OF ERWIN

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

Applicant Name	<i>Boyer Enterprises East, LLC.</i>	Property Owner Name	<i>PCC Properties, LLC</i>
Mailing Address	<i>127 Red Hill Church RO.</i>	Mailing Address	<i>1149 Taos Trail</i>
City, State, Zip	<i>Dunn, NC 28334</i>	City, State, Zip	<i>Raleigh, NC 27603</i>
Telephone	<i>919-971-0415</i>	Telephone	<i>919-971-0415</i>
Email	<i>bboyer3@boyer-enterprises-east.com</i>	Email	<i>bboyer3@gmail.com</i>
Address of Subject Property	<i>No address</i>		
Parcel Identification Number(s) (PIN) of Subject Property	<i>1507 - 15 - 7836 .000</i>		
Legal Relationship of Applicant to Owner	<i>Tenant / same owner</i>	Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	<i>7</i>	Block	<i>Subdivision Thomas G Ralph</i>
Zoning District	<i>M-1</i>	Wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Public Water Available: Y or <input checked="" type="checkbox"/> N	Public Sewer Available: Y or <input checked="" type="checkbox"/> N	Existing Septic Tank: Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain	<i>1</i>	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: <i>Outdoor storage of vehicles, equipment and supplies</i>			
Total Acreage or Square Footage to be Disturbed	<i>0</i>		
Estimated Cost of Project \$	<i>0</i>		

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.

Office Use Only	
Date Application Submitted <i>7/7/21</i>	Application Fee \$ <i>300</i> Received By <i>MSB</i>
Case # SU-20 <i>21</i> - <i>001</i>	



TOWN OF ERWIN

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

Special Use Signature Page

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

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

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

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

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

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

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

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

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

Applicant Signature and Date: Kathleen J. 7/9/21

A - see attached



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

Property Owner (1) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (2) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (3) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (4) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (5) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (6) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (7) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (8) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (9) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (10) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (11) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (12) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (13) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

** - see attached*

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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



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Processing Requirements

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

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

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

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

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

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

Town of Erwin Record and Decisions

Office Use Only

Notice Mailed 7/13/2021 Property Posted 7/13/2021 Newspaper Advertised Date _____

Public Hearing Date and Comments: 8/5/2021 (Thursday August 5th, 2021) at 7pm at the Erwin Town Hall 100 West F street Erwin, NC 28339. For details contact Town Manager Snow Bowden 910-591-4200

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

Town Board Decision and Date _____

Certified By: _____



Legend
xxx - empty totes
* corral was removed before we purchased
☐ trucks & trailers

Stable Property



SPECIAL USE REQUEST STAFF REPORT

Case: CU-2021-004

Snow Bowden, Town Manager

townmanager@erwin-nc.org

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

Public Hearing Date: Thursday, August 5th, 2021

Requested special use permit to use a parcel that does not have a Harnett County E-911 address. The parcel is located off of Erwin Access Road. It is adjacent to the Dunn-Erwin Rail Trail and 201 Red Hill Church Road. The parcel can be identified by its Harnett County Tax PIN #1507-15-7836.000

Applicant Information

Owner of Record:

Name: PCC Properties, LLC.

Address: 1149 Taos Trail

City/State/Zip: Raleigh, NC 27603

Applicant:

Name: Boyer Enterprises East, LLC.

Address: 127 Red Hill Church Road

City/State/Zip: Dunn, NC 28334

Property Description

Harnett County Tax PIN 1507-15-7836.000

Acres 2.85

Zoning District- Industrial M-1

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is a large lot in our planning zone that is 2.85 acres. There is an existing building and what appears to be a horse pen on the parcel. The parcel is relatively undeveloped. There is an area of the lot that is in the wetlands.

Surrounding Land Uses: This tract of land is in our planning zone (ETJ). It is adjacent to the Dunn-Erwin Rail Trail. There is an adjacent property that is used for outdoor storage. On the other side of the Dunn-Erwin Rail Trail there is a solar farm. There are similar uses of land in the area with outdoor storage.

Services Available

- Electricity (Duke Energy)
 - Telephone (Centurylink)
-
-

Zoning District Compatibility

Special Use	M-1
Outdoor Storage of Vehicles/Equipment	X

Staff Evaluation

Staff Evaluation

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

- **Reasoning:** Outdoor storage of equipment and vehicles are a allowed special use in our Industrial (M-1) Zoning District.

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

- **Reasoning:** The applicant has an existing business at 127 Red Hill Church Road that provides an essential service for businesses that experience an emergency such as a flood/fire. They also provide other essential services. They need another site to expand their operations for this business.

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

- **Reasoning:** This is a large tract of land that is surrounded by similar uses in the area.

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

- **Reasoning:** This area of land would be in the area identified for low intensity growth. This proposed use of this land would is in conformity with our 2014 Land Use Plan.

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

- **Reasoning:** Yes

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:** Yes

Yes No That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- **Reasoning:** Yes

Attachments:

- SU-2021-001 Application
- SU-2021-001 Staff Report
- SU-2021-001 Harnett County GIS Image with Zoning
- SU-2021-001 Harnett County GIS Image with no Zoning
- SU-2021-001 Harnett County GIS Image showing wetlands
- SU-2021-001 property owners notified

PCC Properties, LLC.
1149 Taos Trail
Raleigh, NC 27603

Harnett County
PO Box 759
Lillington, NC 27546

Gerald Edward Creech
1208 Red Hill Church Road
Dunn, NC 28334

Arvalee McLamb
71 Wise Road
Dunn, NC 28334

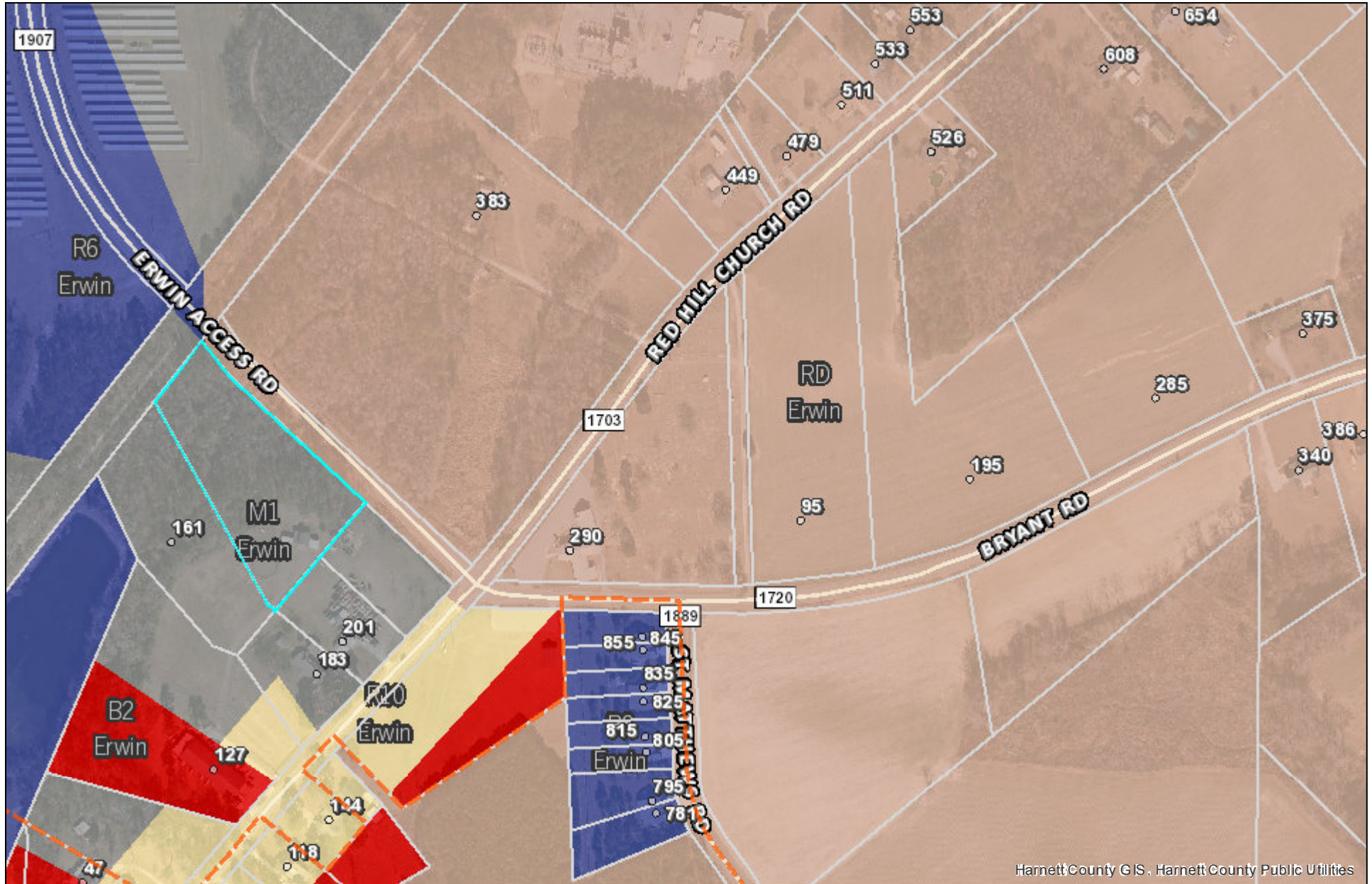
Hal and Mary Alice Penny
183 Red Hill Church Road
Dunn, NC 28334

Warren Realty, LLC.
PO Box 1585
Dunn, NC 28334

Boathouse Solar, LLC.
600 Lakeshore Lane
Chapel Hill, NC 27514
















Harnett GIS

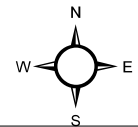
NOT FOR LEGAL USE



GIS/E-911 Addressing

July 12, 2021

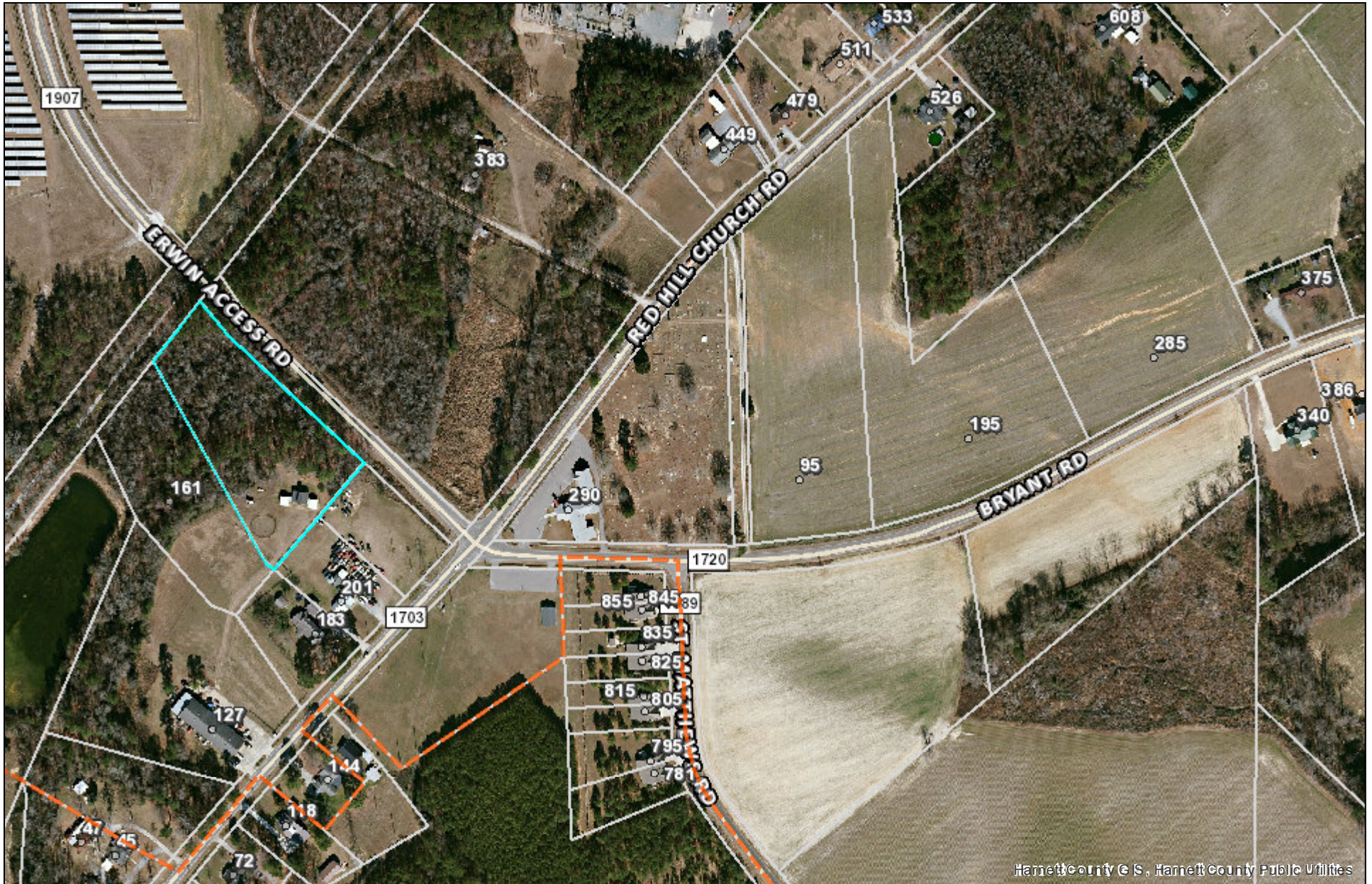
-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property
-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport
- Major Roads**
-  Interstate
-  NC
-  US
-  Roads
-  Mile_Markers
-  Railroad
-  Parcels



1 inch = 376 feet

Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

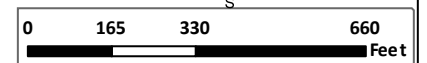
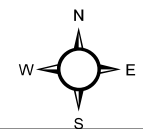
July 12, 2021

- 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

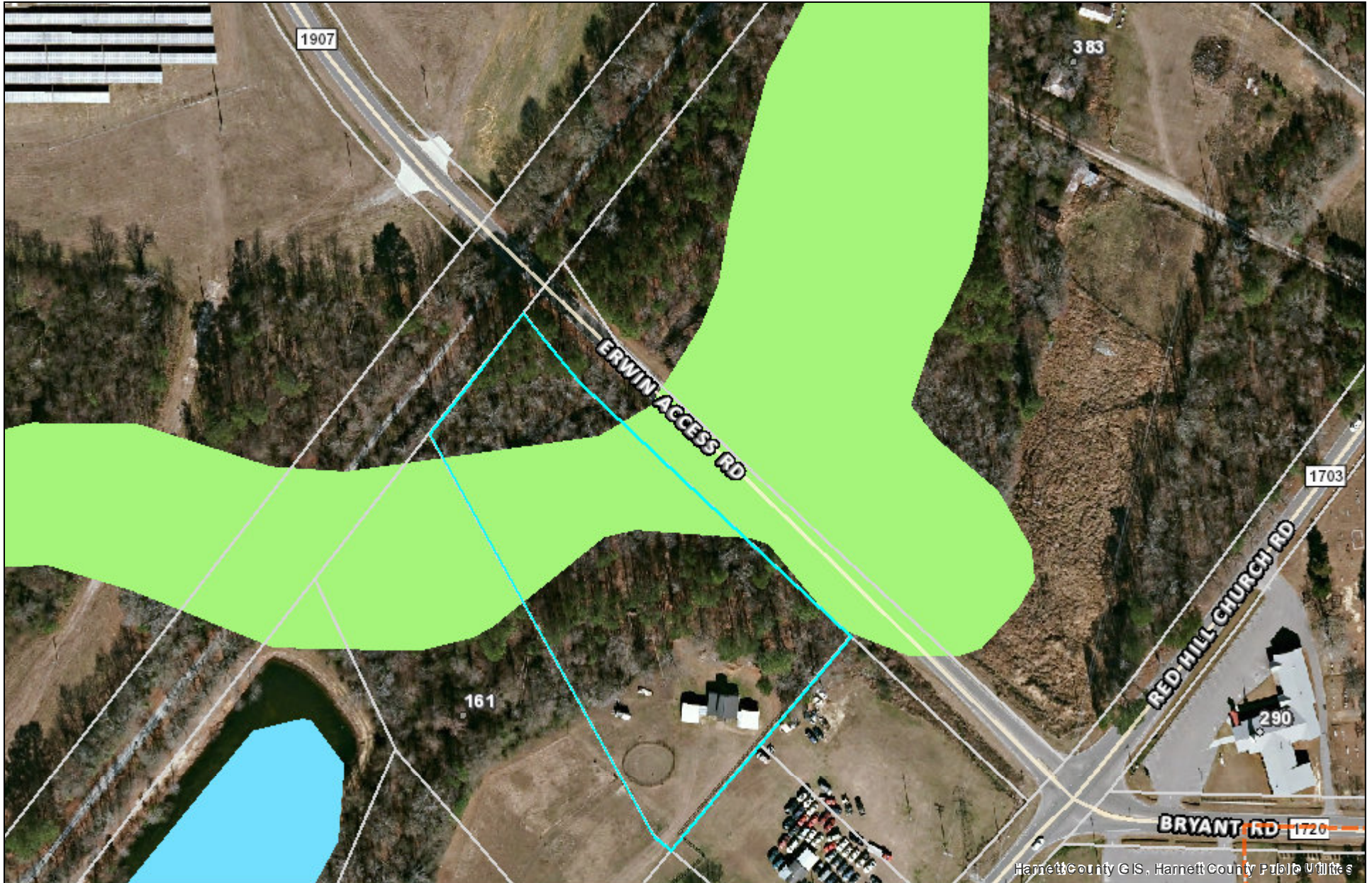
- Parcels



1 inch = 376 feet

Harnett GIS

NOT FOR LEGAL USE



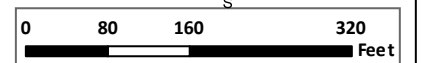
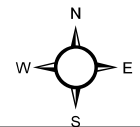
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

July 12, 2021

- | | | | |
|-------------------------------|-------------------------|--------------|---------|
| Recycle Center | Harnett County Boundary | NC | Parcels |
| Landfills | Address Numbers | US | |
| Surrounding County Boundaries | Airport | Roads | |
| Federal Property | MajorRoads | Mile_Markers | |
| City Limits | Interstate | Railroad | |



1 inch = 188 feet

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 5, 2021

Subject: Good Hope Hospital Donation

Good Hope Hospital has approached the Town and asked if we could use the double-wide manufactured building that is currently on that site. It needs to be removed by October. They would donate the building to the Town we would just need to pay to have the building moved. I have been told it is in good shape.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 5, 2021

Subject: American Rescue Plan

The Town has received our first round of funds from the American Rescue Plan. These funds are earmarked funds and can only be used for certain expenditures. They can be used for certain stormwater infrastructure, water/sewer infrastructure, and other items that can be directly linked to COVID. To the best of my knowledge, they cannot be used towards any work associated with the Depot project. They can be used to replace HVAC units.