

ERWIN BOARD OF COMMISSIONERS  
REGULAR MINUTES  
MARCH 5, 2020  
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, March 5, 2020 at 7:00 P. M. in Erwin, North Carolina.

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

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

### **CONSENT ITEMS**

Commissioner Alvarado made a motion to approve **(Item A)** Approval of Regular Minutes of 01/02/20, **(Item B)** Approval of Regular Workshop of 01/27/20, **(Item C)** Financial Report Summary for December 2019, **(Item D)** Financial Report Summary for January 2020, **(Item E)** Open an account with First Federal Bank for the improvements to Al Woodall Park with the PARTF Grant and **(Item F)** DOT Mowing Contract and was seconded by Commissioner Baker. **The Board voted unanimously.**

*A copy of the Financial Report Summary for December 2019, January 2020, and DOT Mowing Contract is incorporated into these minutes as **Attachment #1***

### **PRESENTATION OF CITIZEN OF THE MONTH**

Commissioner Baker presented the Citizen of the Month proclamation to Edward and Dorothy Pope of Erwin. This couple has given a lot to the Town of Erwin, more than we can even name and some acts of kindness that they don't want anyone to know about. If you are fortunate to know them and to be counted among their neighbors you are very blessed.

*A copy of the Citizen of the Month Proclamation is incorporated into these minutes as **Attachment #2***



TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 YTD COMPARISON OF FY 2020 & FY 2019



REVENUES	YTD		YTD DIFFERENCE
	Dec. 19	Dec. 18	
CURRENT YEAR LEVY OF PROPERTY TAXES	532,724.13	502,098.68	30,625.45
CURRENT YEAR MOTOR VEHICLE TAXES	64,790.05	62,570.16	2,219.89
PRIOR YEAR TAXES	9,554.40	4,042.55	5,511.85
UTILITIES FRANCHISE TAXES	97,666.69	98,244.30	(577.61)
ENTRY FEES	11,421.00	10,750.00	671.00
SALES & USE TAX	362,281.02	325,744.08	36,536.94
ZONING PERMITS/APPLICATIONS	4,855.75	3,660.00	1,195.75
PERMITS AND INSPECTION FEES	187,104.06	2,765.00	184,339.06
REFUSE COLLECTIONS FEES	27,927.50	194,300.31	(166,372.81)
STORM WATER COLLECTION		19,414.50	(19,414.50)
ALL OTHER REVENUES	697,704.16	319,085.74	378,618.42
	1,996,028.76	1,542,675.32	453,353.44
			29.39%
EXPENSES	YTD		YTD DIFFERENCE
	Dec. 19	Dec. 18	
GOVERNING BODY	18,315.32	11,873.10	6,442.22
ADMINISTRATION	151,096.17	147,328.38	3,767.79
NON-DEPARTMENTAL	197,058.14	196,300.00	758.14
PLANNING & INSPECTIONS	19,316.42	21,117.68	(1,801.26)
POWELL BILL-STREETS	34,347.91	8,235.72	26,112.19
POLICE	381,738.95	395,944.70	(14,205.75)
POLICE-SRO	56,588.52		56,588.52
CONTRACT SERVICES-FIRE	34,457.03	97,086.99	(62,629.96)
PUBLIC WORKS-ADMIN.	51,210.43	49,803.16	1,407.27
PUBLIC WORKS-STREETS	497,529.73	182,583.71	314,946.02
PUBLIC WORKS-SANITATION	150,247.08	232,936.06	(82,688.98)
PUBLIC WORKS STORM WATER	873.82	3,382.63	(2,508.81)
RECREATION	147,842.87	150,384.98	(2,542.11)
LIBRARY	26,433.12	25,866.89	566.23
COMMUNITY CENTER	4,889.86	2,522.58	2,367.28
	1,771,945.37	1,525,366.58	246,578.79
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		17,308.74	

ACCOUNT BALANCES			
	YTD		YTD Dec. 18
	Dec. 19	Dec. 18	
CASH MANAGEMENT	885,505.12	691,504.10	
BB&T CASH IN BANK	370,898.06	417,219.18	
FIRST FEDERAL BUSINESS MONEY MKT.	135,696.79	134,447.48	
FIRST FEDERAL MONEY MARKET	854,023.08	851,915.23	
<b>Y-T-D BALANCE IN GENERAL FUND ACCOUNTS</b>	<b>2,246,123.05</b>	<b>2,095,085.99</b>	
BB&T STATE FORFEITURE	1,583.97	1,583.97	
FIRST FEDERAL CAP. RESERVE/COMMUNITY ENHANCE	150,714.73	126,145.69	
FIRST FEDERAL CAP. RESERVE/GENERAL	3,021,032.28	3,013,575.85	
BB&T HEALTH RESERVE HRA ACCT.	19,125.88	15,255.57	
PRIEBE FIELD ACCT.	10,776.72	6,220.00	
<b>Y-T-D BALANCE RESTRICTED FUNDS</b>	<b>3,203,233.58</b>	<b>3,162,781.08</b>	
<b>CUMULATIVE BALANCE FOR TOWN OF ERWIN</b>	<b>5,449,356.63</b>	<b>5,257,867.07</b>	

**TOWN OF ERWIN  
FINANCIAL SUMMARY REPORT  
FOR MONTH ENDING JAN. 2020**

	ANNUAL BUDGET	JAN ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,090,589.00	257,230.22	789,954.35	72.43%
CURRENT YEAR MOTOR VEHICLE TAXES	158,309.00	13,891.69	78,681.74	49.70%
PRIOR YEAR TAXES	10,000.00	100.12	9,654.52	96.55%
UTILITIES FRANCHISE TAXES	197,000.00		97,666.69	49.58%
ENTRY FEES	20,000.00	120.00	11,541.00	57.71%
SALES & USE TAX	650,000.00	61,332.37	423,613.39	65.17%
ZONING PERMITS/APPLICATIONS	10,000.00	150.00	5,005.75	50.06%
REFUSE COLLECTIONS FEES	391,180.00	32,085.31	219,189.37	56.03%
STORM WATER COLLECTION	63,930.00	5,362.50	33,290.00	52.07%
ALL OTHER REVENUES	1,421,204.58	539,628.85	1,237,333.01	87.06%
	<b>4,012,212.58</b>	<b>909,901.06</b>	<b>2,905,929.82</b>	<b>72.43%</b>
	ANNUAL BUDGET	JAN ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	51,815.00	1,911.43	20,226.75	39.04%
ADMINISTRATION	303,034.00	24,441.06	175,537.23	57.93%
NON-DEPARTMENTAL	265,338.00	19,169.43	216,227.57	81.49%
PLANNING & INSPECTIONS	123,741.00	2,747.75	22,064.17	17.83%
POWELL BILL-STREETS	182,000.00	1,000.00	35,347.91	19.42%
POLICE	839,300.00	64,076.68	445,815.63	53.12%
POLICE-SRO	123,797.00	9,156.91	65,745.43	53.11%
CONTRACT SERVICES-FIRE	233,254.00	80,137.07	114,594.10	49.13%
PUBLIC WORKS-ADMIN.	105,647.00	7,798.18	59,008.61	55.85%
PUBLIC WORKS-STREETS	999,364.27	436,087.49	933,617.22	93.42%
PUBLIC WORKS-SANITATION	318,902.00	27,684.36	177,931.44	55.80%
PUBLIC WORKS-STORM WATER	40,000.00	485.89	1,359.71	3.40%
RECREATION	348,464.31	26,004.73	173,847.60	49.89%
LIBRARY	59,256.00	5,053.22	31,486.34	53.14%
COMMUNITY CENTER	18,300.00	569.15	5,459.01	29.83%
	<b>4,012,212.58</b>	<b>706,323.35</b>	<b>2,478,268.72</b>	<b>61.77%</b>
<b>Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)</b>		<b>203,577.71</b>	<b>427,661.10</b>	

BALANCES AS OF JAN. 31, 2020	
CASH MANAGEMENT	933,713.06
BB&T CASH IN BANK	544,099.94
FIRST FEDERAL BUSINESS MONEY MARKET	135,783.25
FIRST FEDERAL MONEY MARKET	854,168.16
<b>Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS</b>	<b>2,467,764.41</b>
BB&T STATE FORFEITURE	1,583.97
BB & T/COMM. ENHANCEMENT	152,767.58
FIRST FEDERAL CAP. RESERVE/GENERAL	3,021,445.48
BB&T HEALTH RESERVE HRA ACCT.	17,387.85
PRIEBE FIELD ACCT.	10,776.72
AL WOODALL PARK IMPROVEMENTS	100.00
<b>Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS</b>	<b>3,204,061.60</b>
<b>CUMULATIVE BALANCE FOR TOWN OF ERWIN</b>	<b>5,671,826.01</b>

POWELL BILL BALANCE	<b>422,394.78</b>
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TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 YTD COMPARISON OF FY 2020 & FY 2019

REVENUES	YTD		YTD DIFFERENCE
	Jan. 2020	Jan. 2019	
CURRENT YEAR LEVY OF PROPERTY TAXES	789,954.35	778,204.60	11,749.75
CURRENT YEAR MOTOR VEHICLE TAXES	78,681.74	75,616.57	3,065.17
PRIOR YEAR TAXES	9,654.52	8,214.01	1,440.51
UTILITIES FRANCHISE TAXES	97,666.69	98,244.30	(577.61)
ENTRY FEES	11,541.00	10,970.00	571.00
SALES & USE TAX	423,613.39	382,713.14	40,900.25
ZONING PERMITS/APPLICATIONS	5,005.75	4,670.00	335.75
PERMITS AND INSPECTION FEES	219,189.37	2,765.00	(2,765.00)
REFUSE COLLECTIONS FEES	33,290.00	194,300.31	24,889.06
STORM WATER COLLECTION		19,414.45	13,875.55
ALL OTHER REVENUES	1,237,333.01	384,209.56	853,123.45
	<b>2,905,929.82</b>	<b>1,959,321.94</b>	<b>946,607.88</b>
			48.31%
EXPENSES	YTD		YTD DIFFERENCE
	Jan. 2020	Jan. 2019	
GOVERNING BODY	20,226.75	14,372.03	5,854.72
ADMINISTRATION	175,537.23	170,609.14	4,928.09
NON-DEPARTMENTAL	216,227.57	217,934.35	(1,706.78)
PLANNING & INSPECTIONS	22,064.17	21,266.47	797.70
POWELL BILL-STREETS	35,347.91	9,235.72	26,112.19
POLICE	445,815.63	474,764.50	(28,948.87)
POLICE-SRO	65,745.43		65,745.43
CONTRACT SERVICES-FIRE	114,594.10	145,634.77	(31,040.67)
PUBLIC WORKS-ADMIN.	59,008.61	57,395.86	1,612.75
PUBLIC WORKS-STREETS	933,617.22	211,665.12	721,952.10
PUBLIC WORKS-SANITATION	177,931.44	266,917.34	(88,985.90)
PUBLIC WORKS STORM WATER	1,359.71	3,557.38	(2,197.67)
RECREATION	173,847.60	177,932.99	(4,085.39)
LIBRARY	31,486.34	29,798.84	1,687.50
COMMUNITY CENTER	5,459.01	4,306.61	1,152.40
	<b>2,478,268.72</b>	<b>1,805,391.12</b>	<b>672,877.60</b>
	<b>427,661.10</b>	<b>153,930.82</b>	<b>273,730.28</b>
			37.27%

ACCOUNT BALANCES	YTD	
	Jan. 2020	Jan. 2019
CASH MANAGEMENT	933,713.06	737,864.60
BB&T CASH IN BANK	544,099.94	492,646.83
FIRST FEDERAL BUSINESS MONEY MKT.	135,783.25	134,561.72
FIRST FEDERAL MONEY MARKET	854,168.16	852,096.13
Y-T-D BALANCE IN GENERAL FUND ACCOUNTS	<b>2,467,764.41</b>	<b>2,217,169.28</b>
BB&T STATE FORFEITURE	1,583.97	1,583.97
FIRST FEDERAL CAP. RESERVE/COMMUNITY ENHANCE	152,767.58	128,138.59
FIRST FEDERAL CAP. RESERVE/GENERAL	3,021,445.48	3,014,215.78
BB&T HEALTH RESERVE HRA ACCT.	17,387.85	15,255.57
PRIEBE FIELD ACCT.	10,776.72	6,245.00
AL WOODALL PARK IMPROVEMENTS	100.00	
Y-T-D BALANCE RESTRICTED FUNDS	<b>3,204,061.60</b>	<b>3,165,438.91</b>
CUMULATIVE BALANCE FOR TOWN OF ERWIN	<b>5,671,826.01</b>	<b>5,382,608.19</b>



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

January 28, 2020

Division Six - REU  
Harnett County

Cynthia B. Patterson  
Town of Erwin

Subject: 2020 Municipal Agreement

To Whom It May Concern:

The N.C. Department of Transportation wishes to extend the existing municipal agreement for shoulder mowing with the Town of Erwin. Due to ongoing budget constraints within the NCDOT, your "cleanup" mowing cycles have been reduced by one for the calendar year 2020. If the Town of Erwin agrees with the attached 2020 mowing cost sheet and wishes to extend the existing municipal agreement, please notify this office in writing.

If you have any questions regarding this matter, please contact David Plummer at (910) 364-0603.

Sincerely,

A handwritten signature in blue ink that reads "David Plummer".

David Plummer  
Engineering Specialist I

## Town of Erwin 2020 Mowing Cost Sheet

	Cost per Mile	Cycles	S. Miles	Total Cost
Clean-up Mowing (Primary Multilane Divided)	\$ 150.00	5	9.24	\$ 6,930.00
Routine Mowing (Primary Undivided)	\$ 40.00	3	6.66	\$ 799.20
Clean-up Mowing (Primary Undivided)	\$ 45.00	2	6.66	\$ 599.40
Routine Mowing (Secondary)	\$ 36.00	3	13.74	\$ 1,483.92
Clean-up Mowing (Secondary)	\$ 41.00	2	13.74	\$ <u>1,126.68</u>
			<b>Total</b>	<b>\$ 10,939.20</b>

**Quarterly Payment \$ 2,734.80**

### Quarterly Breakdown

6RE.104315	\$	2,082.15
6RE.204315	\$	652.65

# Town of Erwin Mowing 2020

## PRIMARY

Route	From	To	Miles	Shoulder Miles
US 421 *	East Town Limit	West Town Limit	2.31	9.24
NC 55	US 421	North Town Limit	0.38	0.76
NC 82	NC 217	South Town Limit	0.81	1.62
NC 217	US 421	South Town Limit	2.14	4.28
<b>Totals:</b>			5.64	15.90

## SECONDARY

Route	From	To	Miles	Shoulder Miles
SR 1703	SR 1718	North Town Limit	0.39	0.78
SR 1718	NC 217	East Town Limit	2.12	4.24
SR 1726	US 421	North Town Limit	0.65	1.30
SR 1741	SR 1746	South Town Limit	0.89	1.78
SR 1746	NC 217	SR 1718	0.81	1.62
SR 1769	NC 217	West Town Limit	1.16	2.32
SR 1775	NC 82	South Town Limit	0.36	0.72
SR 1815	SR 1718	South Town Limit	0.24	0.48
SR 1907	SR 1726	East Town Limit	0.25	0.50
<b>Totals:</b>			6.87	13.74

\* US 421 is 4 lane divided. Therefore, shoulder mileage is four (4) times the road mileage.





# TOWN OF ERWIN

P.O. Box 459 · Erwin, NC 28339  
Ph: 910-897-5140 · Fax: 910-897-5543  
[www.erwin-nc.org](http://www.erwin-nc.org)

## PROCLAMATION RECOGNIZING EDWARD AND DOROTHY POPE FOR CITIZEN OF THE MONTH

2019-2020—006

**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

**WHEREAS**, the Town of Erwin Mayor and Board of Commissioners, realize that the Town of Erwin's greatest asset is viewed as the citizens that contribute tirelessly and unselfishly of themselves to aide in the well-being of the residents within the community. These citizens display characteristics and qualities in an individual that strive to make a real difference in the lives of children, adults and the elderly without desire for recognition, remuneration or personal gain; and

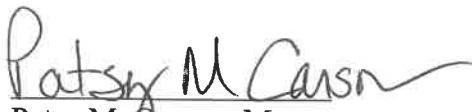
**WHEREAS**, Edward Pope was born and raised in Erwin while Dorothy Pope was born and raised in Dunn. They have been married for over 55 years. Together they have (3) children, Raymond, Edwina, and Scharmin and the proud grandparents of (7) grandchildren and (1) great grandchild; and


**WHEREAS**, the Pope's have raised 3 successful children, they have chaperoned numerous ball games, sewed costumes, and built various items for both Erwin High School Marching Band and Triton High School. Dorothy designed and sewed the flags and uniforms for the color guard at both schools. Edward made the rifles used by the color guard. They both were members of the Band Boosters of both schools. Even after their children graduated, they continued to be active in the band and chorus programs at Triton, such as chaperoning trips to New York with the grandchildren for chorus. Edward donated his time and some tools to CCC the Machinist Apprentice Program that his grandson was enrolled in; and

**WHEREAS**, both Dorothy and Edward have given countless hours to the youth of St. Matthews PFWB Church. They made many crafts for vacation bible school, Edward cutting pieces out of wood, and Dorothy pouring the plaster of paris pieces. Dorothy taught Sunday school and the Crusaders Youth Group for well over 10 years. She sewed costumes for many of the Christmas programs while Edward built the scenery. Edward gave his time and expertise to the Royal Rangers when they needed a Derby Track. He not only built the track, he made several car/trucks to race. Together for more than 45 years they have done "Witchie Poo" bagging over 200 treats to give out for Halloween. They are both natural care givers having helped take care of Dorothy's parents until their death. Now they keep an eye out for their neighbors. This couple has given a lot to the Town of Erwin, more than we can even name and some acts of kindness that they don't want anyone to know about. If you are fortunate to know them and to be counted among their neighbors you are very blessed; and

**NOW THEREFORE BE IT RESOLVED** that the Town of Erwin Mayor and Board of Commissioners give recognition and appreciation to Edward and Dorothy Pope for their valuable contributions to the quality of life in our community and proudly acknowledge Edward and Dorothy Pope as the March 2020 Citizen of the Month.

**Duly Adopted**, this the 5<sup>th</sup> day of March, 2020.

  
Patsy M. Carson, Mayor

**ATTEST:**  
  
Cynthia Patterson, Town Clerk

## MINUTES CONTINUED FROM MARCH 5, 2020

### INTRODUCTION OF THE NEW EXECUTIVE DIRECTOR OF MID-CAROLINA GOVERNMENT

Town Manager Snow Bowden introduced Justin Hembree as the new executive director. Mr. Hembree stated that he has been with Mid-Carolina Government since December. Mayor Carson provides leadership to the Board of Directors and I got to know her through the recruitment process. Mr. Hembree looks forward to be working in this area and with this board.

### ERWIN DEPOT PRESENTATION

Rick Collins and Julianne Harrelson with Becker Morgan Group came forward and presented the board with construction documents and update cost estimate for the Erwin Depot. Total cost for the Erwin Depot is \$865,609. It does include contingency of 10%.

There was no discussion from the board.

### PUBLIC HEARING

Commissioner McKoy made a motion to open the public hearing at 7:21pm and was seconded by Commissioner Turnage. **The Board voted unanimously.**

### PROPOSED TEXT AMENDMENT INVOLVING ACCESSORY STRUCTURES IN OUR RD ZONING DISTRICT OF THE CODE OF ORDINANCE SECTION 36-419

The current ordinance allows for lots that have a primary structure on them to have an accessory building/structure on them that does not exceed 40% of the total area of the principal structure. Each developed lot up to 15,000 square feet is permitted one accessory building. For each additional 15,000 square feet a lot they are allowed an additional accessory structure/building. These standards apply to our zoning districts inside Town Limits and in our ETJ.

The proposed text amendment would allow secondary structures on lots larger than eight acres in our RD zoning District. The secondary structure could not exceed 80% of the total size of the principal structure on the lot. The secondary structure would still need to follow the guidelines set forth in Section 36-419(b).

Mayor Carson asked if anyone would like to speak in favor of this proposed text amendment, to please come forward and state your name.

No one came forward.

Mayor Carson asked if anyone would like to speak against this proposed text amendment, to please come forward and state your name.

**MINUTES CONTINUED FROM MARCH 5, 2020**

Kathy Pope, a local realtor with Elmore Reality came forward and asked the board to lower the acres proposed from eight acres or greater to possibly 7.5 acres. Ms. Pope stated that she had ran into an issue with previous buyers that were wanting to put an accessory structure on the property that they were interested in purchasing and was advised that they could not without subdividing the land. Due to the added expense it was a deal breaker in purchasing the property.

Commissioner Turnage made a motion to close the public hearing at 7:47pm and was seconded by Commissioner Whitman. **The Board voted unanimously.**

After some discussion, Commissioner Baker made a motion to refer this issue back to the Planning Board and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

**PUBLIC HEARING**

Commissioner Baker made a motion to open the public hearing at 7:54pm and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

**AMEND MAXIMUM BUILDING HEIGHT IN CERTAIN AREAS WITHIN  
TOWN LIMITS**

Town Staff recommends that we change our maximum building height in certain areas within Town Limits. At the moment, 35 feet is the maximum building height. This maximum building height might be a hindrance in efforts to recruit a hotel to locate in Erwin. The Planning Board recommended this text amendment for approval.

Mayor Carson asked if anyone would like to speak in favor of this proposed text amendment, to please come forward and state your name.

No one came forward.

Mayor Carson asked if anyone would like to speak against this proposed text amendment, to please come forward and state your name.

No one came forward.

Commissioner Baker made a motion to close the public hearing at 7:56pm and was seconded by Commissioner Turnage. **The Board voted unanimously.**

## MINUTES CONTINUED FROM MARCH 5, 2020

After some discussion Commissioner Baker made a motion to approve Ordinance amending the Erwin Town Code of Ordinance to limit maximum building height in Chapter 36 Zoning Sections 36-81, 118,147,156,175,185,201,240,275 and 313 with the amendment on 2<sup>nd</sup> line of the proposed change that the word Non-Residential be added in front of buildings located within the areas identified Medium Intensity, High Intensity, Downtown, and Employment Center Land Use Classifications are exempt from the district height requirement if they conform to the following and strike Section B and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

*A copy of Ordinance 2019-2020:007 is incorporated into these minutes as **Attachment #3***

## OLD BUSINESS

### CONDITIONAL USE TO OPERATE A VEHICULAR SALES LOT AT 2408 ERWIN ROAD, ERWIN, NC (HC TAX PIN 1507-40-3993.000)

Mr. Bowden informed the board that this item was tabled at the last board meeting for a better updated site plan. The applicant is proposing two show vehicles for sale parked parallel next to the building in the front. The parked vehicles would be 25 feet from the right of way. Customer parking and the other vehicles for sale would be parked behind the building. The existing landscaping around the building would remain. The parking lot will be less than 10,000 square feet.

Applicant Angel Martinez came forward and addressed the board. Mr. Martinez stated that at this point he is willing to do whatever the board feels comfortable doing as far as placement of the vehicles are concerned.

Commissioner Alvarado thanked Mr. Martinez in being respectful, accommodating and patient in working with us during this process. Commissioner Alvarado also apologized in taking this process so long in getting started with this business.

### **The Board moved forward with the Findings of Facts**

1. Commissioner Baker made a motion that **Yes**, the use requested is listed among the conditional uses in the district for which application is made and vehicular sales and rental are permitted as a conditional use in the B-2 Zoning District and was seconded by Commissioner Blackmon. **The Board voted unanimously.**
2. Commissioner Baker made a motion that **Yes**, the requested use is essential or desirable to the public convenience or welfare. This proposed use would offer residents in Erwin another option to purchase a vehicle and was seconded by Commissioner Blackmon. **The Board voted unanimously.**
3. Commissioner Alvarado made a motion that **Yes**, 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. The requested use will not impair the character of the



# 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

**AN ORDINANCE AMENDING THE ERWIN TOWN CODE OF ORDINANCE  
TO LIMIT MAXIMUM BUILDING HEIGHT IN CHAPTER 36 ZONING,  
SECTIONS 36-81, 118,147,156,175,185,201,240,275 AND 313  
ORD 2019-2020: 007**

**WHEREAS**, Chapter 36-81,118,147,156,175,185,201,240,275 and 313 limit the maximum building height to 35 feet


Adding the following language:

The maximum height of any structure shall be the same as required by the underlying zoning district unless otherwise stated herein. Non-Residential buildings located within the areas identified Medium Intensity, High Intensity, Downtown, and Employment Center Land Use Classifications are exempt from the district height requirement if they conform to the following:


A. Highest point of the building shall not exceed 80 feet.

**WHEREAS**, this ordinance shall be effective upon adoption.

**Duly adopted**, this 5<sup>th</sup> day of March, 2020

  
\_\_\_\_\_  
Patsy Carson, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Cynthia Patterson, Town Clerk

**MINUTES CONTINUED FROM MARCH 5, 2020**

- 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 and was seconded by Commissioner Baker. **The Board voted unanimously.**
4. Commissioner Whitman made a motion that **Yes**, the requested use will be in conformity with the Land Development Plan. 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 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**
  5. Commissioner Blackmon made a motion that **Yes**, there is adequate utilities, access roads, and drainage, sanitation and/or other necessary facilities have been or are being provided. This is an existing structure that already has all of the necessary utilities connected to the building and was seconded by Commissioner Baker. **The Board voted unanimously.**
  6. Commissioner Baker made a motion that **Yes**, adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Town Staff has not been able to identify an existing NCDOT 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 and was seconded by Commissioner Alvarado. **The Board voted unanimously.**
  7. Commissioner Alvarado made a motion that **Yes**, 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. One of the recommended conditions would be improvements to the parking lot. Paved 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 and ensure that all regulatory provisions for local, state and federal adhere to include street scape, landscape required buffering and parking to that nature prior to certificate of occupancy and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

**MINUTES CONTINUED FROM MARCH 5, 2020**

Commissioner Baker 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-2019-08 conditional use application to operate a vehicular sales lot at 2408 Erwin Road HC TAX PIN# 1507-40-3993.000 and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

*A copy of CU-2019-08 application is incorporated into these minutes as Attachment #4*

**NEW BUSINESS****SET DATE FOR MAYOR/COMMISSIONERS RETREAT**

It was the Consensus of the Board to set the Retreat for Mayor/Commissioners on Thursday, March 19, 2020 at 2pm. Location will be the Staff Meeting Room in Community Center.

**MANAGER REPORT**

- Chief Johnson introduced the new police officer Isaac Potter
- Waiting on one check from Hurricane Florence

**ATTORNEY'S REPORT**

Mr. Morris made the board aware of several items that he has been working on.

**PUBLIC COMMENTS**

Bill Schuh of Masonic Road asked the board to change the Ordinance for the wrecker policy to allow other wrecker services come into the town. We only have one wrecker service providing service to the town, and prices are extremely high and he's making a big profit out of it. Corner building on East H. Street that has been here for many years is in very bad shape. Concern that someone is going to get hurt.

Rose and Timothy Matthews, owners of Cotton Row at 105 East H. Street, Erwin. They expressed concern with the building on the corner of East H. Street. They purchased the building beside the corner building 2 years ago. We have been in business for a year and a half. We have a lot of water damage that is coming from the corner building. We first thought it was our roof causing the damage and replaced the roof. The water damage is still occurring and it is not coming from our building. We are having to move vendors due to the water damage. It is our request that someone needs to do something about the corner building. It is a danger. Even though there is a lock on the doors to that corner building, you can still get in there. Young children have been going in and out of there.

Need to Submit  
by 11/21/19



**TOWN OF ERWIN**  
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**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	5041 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

*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.**

PAID

**Office Use Only**

Date Application Submitted 1/18/19 Application Fee \$ 300 Received By SBL

Case # CU-2019 -08

Snow Boudier  
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 Tinsdale 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 12/13/2019

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-2019-08 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	X	<input type="checkbox"/>
Ronald Beasley	X	<input type="checkbox"/>
Alan West	X	<input type="checkbox"/>
Judy Price	X	<input type="checkbox"/>
Norman Avery	X	<input type="checkbox"/>
Michael Shean	X	<input type="checkbox"/>
Billy Howell	X	<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. This was tabled until Thursday, March 5, 2020 at 7pm. (February's Meeting canceled).

**Governing Body Motion**

Commissioner Baker 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# 1507-40-3993.000 and was seconded by Commission Alvarado. **Motion Unanimously Approved.**

**Certified By:**  
Cynthia Patterson  
Town Clerk

Record of Decision:

	Yea	Nay
Randy Baker	X	<input type="checkbox"/>
Mindy Alvarado	X	<input type="checkbox"/>
Billy Turnage	X	<input type="checkbox"/>
Ricky Blackmon	X	<input type="checkbox"/>
Alvester McKoy	X	<input type="checkbox"/>
Thurman Whitman	X	<input type="checkbox"/>

Town Board Decision and Date Approved CU-2019-08 on March 5, 2020

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

# 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

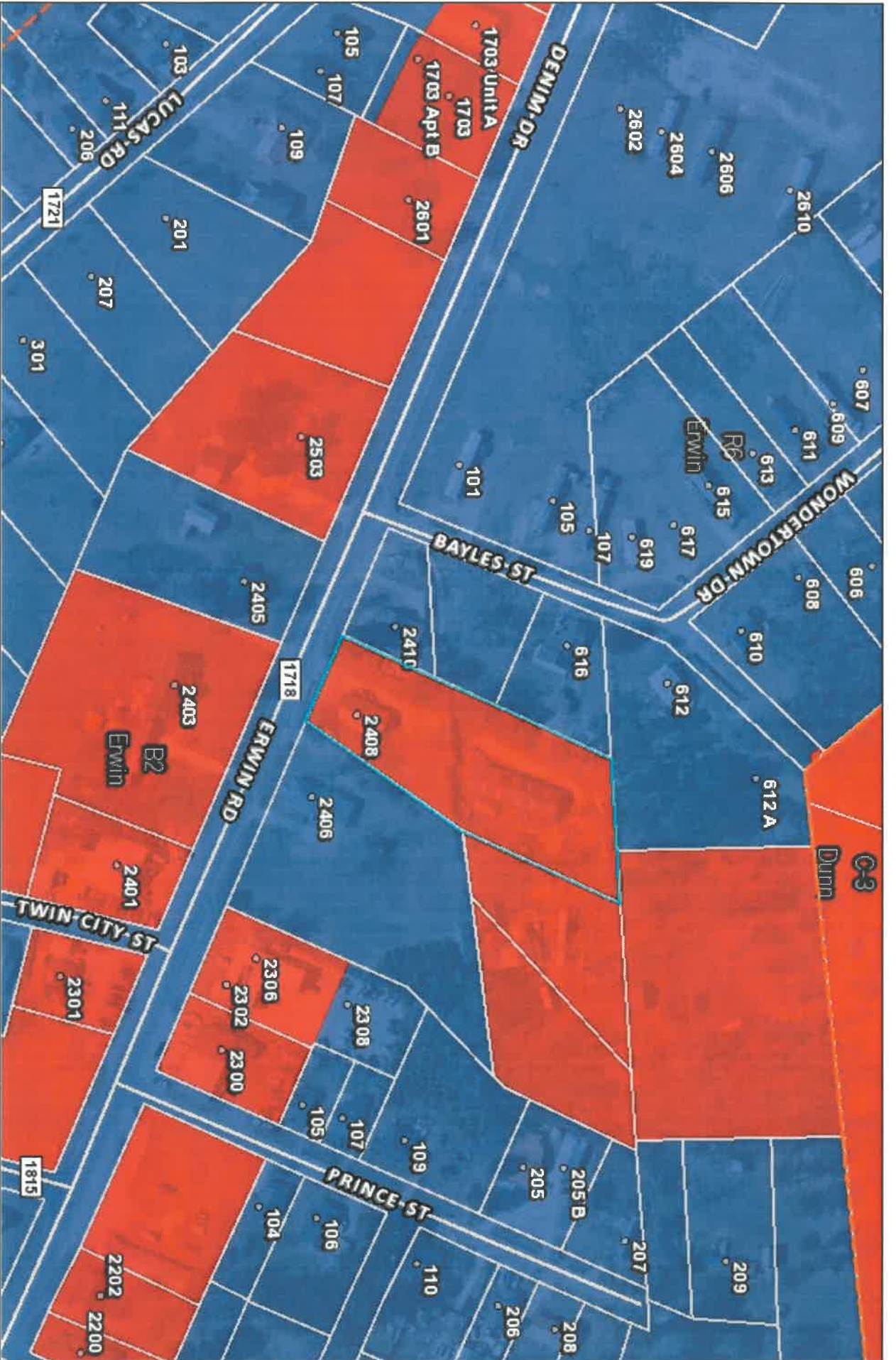
- Major Roads
- Interstate
- NC
- US
- Roads

- Mile\_Markers
- Railroad







1 Inch = 94 feet

# 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

MINUTES CONTINUED FROM MARCH 5, 2020GOVERNING COMMENTS

Commissioner McKoy expressed concern with an issue on the corner of North 13<sup>th</sup>/West N. Street. He has talked with the manager and police have been called on this matter. The business there has been working on their cars all hours of the night. Getting complaints from neighbors in that area. Something has to be done.

Commissioner Turnage is excited of Al Woodall Park. They have the lights moved to Field #4 and poles put up on Field #2. Can't wait for the work on the splash pad to begin. We have one problem with field #4 and that is no parking. Continue to work on solving that problem.


Mayor Carson thanked the police dept. and fire dept. for a homecoming for Landon Peregoy. A lot of citizens showed up to greet that young boy home from the hospital.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 8:48pm and was seconded by Commissioner Baker. **The Board voted unanimously.**

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

  
\_\_\_\_\_  
Patsy M. Carson,  
Mayor

  
\_\_\_\_\_  
Cynthia B. Patterson, CMC  
Town Clerk