

TOWN OF BROADWAY  
BOARD OF COMMISSIONERS  
MEETING MINUTES

JUNE 26, 2017

A scheduled meeting of the Board of Commissioners was held on Monday, June 26, 2017 at 6:00 p.m. at the Council Chamber, 102 East Lake Drive, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Woody Beale, Jim Davis, Lynne Green and Janet Harrington. Also, Town Attorney Jimmy Love, Town Manager Dustin Kornegay and Town Clerk Laura Duval were present.

The meeting was called to order by Mayor Andrews. The Mayor gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Andrews requested an amendment to the Agenda. He asked for an addition Under New Business - Item I. ABC Update. Mayor Pro Tem Beal made the motion to accept the Agenda as amended. Motion was seconded by Commissioner Harrington. The motion carried unanimously.

Consent Agenda – Approval of May 22 Minutes and May Financial Statement. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. Motion was seconded by Commissioner Green. The motion carried unanimously.

Parker Holland, Director of Lee County Board of Elections, addressed the Town Board about filing for the upcoming election in November. Filing begins July 7 at 12 noon and ends July 21 at 12 noon. When a candidate files for office, a green folder will be given to them containing all the campaign information needed. Early voting will run from October 19 through November 4. Election Day is November 7. The polls are open from 6:30 a.m. until 7:30 p.m.

Town Manager Kornegay reviewed the annual budget ordinance for fiscal year 2017-2018. The following amounts are appropriated for the operation of the Town's government and its activities for the fiscal year beginning July 1, 2017 and ending June 30, 2018. The General Fund budget is \$885,299. The Utility Fund budget is \$378,500 for a total of \$1,263,799. The tax rate remains the same at \$0.49. Mayor Pro Tem Beal made the motion to adopt the annual budget for fiscal year 2017-2018. Motion was seconded by Commissioner Harrington. The motion carried unanimously.

Town Manager Kornegay presented an amendment to the current budget. This amendment is for the purchase of the F-150 pickup through the Ford Motor Credit lease

agreement. It appropriates \$23,979 from Lease Proceeds to Lease Payment – Capital. Commissioner Green made the motion to approve the budget amendment appropriating \$23,979 from Lease Proceeds to Lease Payment – Capital. Motion was seconded by Commissioner Davis. The motion carried unanimously.

The Town received a letter from Waste Industries offering to extend our contract for an additional five year term. If the extension is accepted, there would be no increase in fees the first year. The contract would extend through 2023. Town Manager Kornegay recommended accepting the extension. Mayor Pro Tem Beal made the motion to accept the extension of the Waste Industries contract for an additional five year term. Motion was seconded by Commissioner Harrington. The motion carried unanimously. Norma Yanez, government contract manager, greeted the Town Board and expressed her appreciation to the Town for contracting with Waste Industries. Mayor Andrews requested numbers on tonnage for garbage versus recycling for the last three years. Ms. Yanez agreed to get those numbers to him.

David Montgomery, Long Range Transportation Planner with Sanford Community and Development, discussed a resolution endorsing the TARPO project list for prioritization 5.0. Every two years DOT goes through the process of selecting projects from all 100 counties. Lee County is a member of the Triangle Area Rural Planning Organization with Chatham, Orange and Moore Counties. These four counties work together to develop a project list, which is the start of a two year process. They go through a scoring system then TARPO reviews them. After two years, some of the projects are placed on the state transportation master or ten year list. These projects will be funded on the 2020- 2029 STP list. A Lee County Transportation Committee was created and composed of two members from each governing board, as well as representatives from the airport, COLTS and SAGA for a total of nine members. The committee developed their list of projects after two meetings and then submitted the list to TARPO. All Lee County projects were left on the list except one. Commissioner Harrington made the motion to approve the resolution with the recommendations of the Transportation Committee. Motion was seconded by Commissioner Davis. The motion carried unanimously.

Mr. Montgomery also presented an option for the Mayor to request landscaping funds for the Broadway road widening project. Municipalities are allowed to request .75% percent of the total construction cost for landscaping but must agree to maintenance by Town staff. Commissioner Woody Beale made the motion authorizing Mayor Andrews to send a request to DOT for landscaping costs. Motion was seconded by Commissioner Green. The motion carried unanimously.

Town Manager Kornegay presented a request to extend our interlocal agreement with Lee County to continue disaster debris services through TAG Grinding Services, Inc. This debris management plan covers removal of debris resulting from any natural disaster. Both Sanford and Lee County have renewed the agreement. The original contract was for three years with the option to renew for an additional year. Commissioner Davis made the motion to renew the interlocal agreement for disaster debris services. Motion was seconded by Mayor Pro Tem Beal. The motion carried unanimously.

For the upcoming road widening project, the Town is responsible for relocating water and sewer lines along North Main Street from Milton Avenue to the vault at Dixie Farm Road. The project has to be completed by June 1, 2019. Five RFQ's were received for the relocation project. All five companies are very qualified and capable of doing the job. The Town Board needs to select a company prior to July 28. DOT requires the Town to recommend a company to do the project then DOT will reimburse the Town 100% on all invoices submitted. Mayor Andrews encouraged the Commissioners to go by Town Hall and review the proposals in order to make an informed decision. The Town Manager can provide scoring sheets to assist in the decision making process. Selection is based solely on qualifications. The project will be awarded at the July 24 meeting.

The Town Board discussed Town ordinances pertaining to Chapter 93 Abandoned and Junked Vehicles and Section 92.04 Weeds: Schedule for Cutting. Commissioners expressed concerns regarding the upkeep of residential property and vacant lots. They agreed the ordinances need to be enforced. Town Counsel advised that due process must be followed – a right to notice and a right to be heard then the health and safety impact must be taken into consideration. As Section 93.04 now reads: The Junked Motor Vehicle. As authorized and defined in G.S. 160A-303.2, the term means a vehicle that does not display a current license plate lawfully upon that vehicle and that: (1) is partially dismantled or wrecked; or (2) cannot be self-propelled or moved in the manner in which it originally was intended to move; or, (3) is more than five years old and appears to be worth less than \$100. Town Counsel stated enforcement is a long process, but it can be done. The Town Manager and Town Counsel agreed to obtain guidance from the League of Municipalities regarding similar ordinances and research the Town ordinances to ensure they are on solid legal ground.

Section 92.04 now reads: Every owner or person in possession of a vacant lot within the corporate limits shall shrub down, within four inches of the ground, all weeds, grass, or other noxious growth from said lot at least twice each year; the first not later than June 15, and the second, not later than August 15 of each and every year. There is a \$50/day fine after the owner has been notified. At this time the Town has not collected any fines. The Mayor recommended that written notification explaining the ordinance and the penalty for noncompliance be sent to the vacant lot property owners.

Commissioner Woody Beale made the motion to hold a public hearing on amendments to ordinance 92.04. Amendments consist of changing cutting weeds twice a year to every quarter and changing the wording of vacant lot to vacant land. Motion was seconded by Mayor Pro Tem Beal. The motion carried unanimously.

Mayor Andrews was asked to research the possibility of placing an ABC Store vote on the ballot in the November election. The ABC store vote can be addressed once every three years. According to election laws of the ABC Commission, 1,000 registered voters are required to place it on the ballot. The Town of Broadway has only 854 registered voters, so the stipulation is not met at this time.

Manager's Report – Town Manager Kornegay advised that the Town Hall pre-construction meeting was held last Thursday. Once building permits have cleared, the contractors can begin working.

Mr. Kornegay reported that an aerator has been replaced at the oxidation ditch at the WWTP.

Commissioner Comments – Commissioner Davis expressed a concern about the overgrowth on Swann Station Road coming into the Broadway City Limits. The brush hangs over and covers the school warning sign. He requested that the Town Manager contact DOT and ask them to do the state road maintenance.

Commissioner Woody Beale inquired about the progress of repairs and maintenance to the Town playground equipment. Town Manager Kornegay is working on this issue. Commissioner Beale also expressed his displeasure regarding the termination of upkeep to veteran cemeteries due to lack of state funding. He plans to contact our representatives and voice his concerns.

Mayor Comments – Mayor Andrews advised that UDO text amendments will be presented for consideration at the July 24 Board Meeting.

The Mayor is working on updates to the Town brochure. He has asked Joy Thrash, with SAGA, to review it and determine if the Town can get help with the printing costs.

There have been complaints about the sound system used at the Memorial Day and Veteran Day Services. The Town does not host these events, but the proper organizations have been contacted about this matter.

Town Hall will be closed Tuesday, July 4.

With no further business to come before the Town Board, Commissioner Woody Beale made the motion to adjourn the meeting. The motion was seconded by Commissioner Davis. Motion carried unanimously to adjourn.

---

Donald F. Andrews  
Mayor

---

Laura K. Duval  
Town Clerk