

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING MINUTES
AUGUST 28, 2017

A scheduled meeting of the Board of Commissioners was held on Monday, August 28, 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 and Janet Harrington. Also, Town Attorney Jimmy Love, Town Manager Dustin Kornegay and Town Clerk Laura Duval were present. Commissioner Lynne Green was unable to attend the meeting.

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

Commissioner Woody Beale made the motion to accept the Agenda as presented. The motion was seconded by Commissioner Davis. Motion carried unanimously.

Consent Agenda – Approval of July 24 Minutes and July Financial Statement. Mayor Pro Tem Beal made the motion to accept the Consent Agenda as submitted. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Amy McNeill, Zoning Administrator, reported that the Broadway Planning Board voted unanimously to recommend approval of the text amendment for Urban Beekeeping, with one additional design standard, posting a small discreet notification sign. Mayor Pro Tem Beal made the motion to approve the recommendations of the Planning Board regarding Urban Beekeeping. The motion was seconded by Commissioner Davis. Motion carried unanimously.

Ms. McNeill advised that the Broadway Planning Board unanimously recommended that the Commissioners deny the text amendment to split the Lee County Planning Board/Board of Adjustment into two separate boards. Commissioner Woody Beale made the motion to deny the text amendment that would split the Boards into two separate boards. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Mayor Andrews presented a resolution for temporarily closing Main Street for the Broadway Lions Club Christmas Parade, which will be held December 9. Mayor Pro Tem Beal made the motion to adopt the resolution. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Town Manager Kornegay discussed the legal services agreement with USDA that was considered very early in the process. This agreement is with the Town and our attorney. The initial agreement stated legal fees would not exceed \$2,000. However, the scope of work was unknown at that time and is going to exceed that amount. Our approved budget with USDA allowed for \$15,000. Mr. Kornegay recommended the agreement be amended to that amount. He doesn't feel the cost will actually reach \$15,000. Commissioner Woody Beale made the motion to amend the Legal Services Agreement with USDA to the amount of \$15,000. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Mayor Andrews stated that the existing cemetery has approximately 30 plots left. The new section cannot be laid off until the streets are put in. He presented a proposal submitted by Patterson Paving for paving the first part of the new section of the Town Cemetery at a cost of \$10,695. Mayor Pro Tem Beal made the motion to approve the proposal from Patterson Paving. The motion was seconded by Commissioner Davis. Motion carried unanimously.

Mayor Andrews advised that one bid was received for resurfacing J.R. Holt and Church Streets in the amount of \$109,428. This amount is equivalent to half the Town's Powell Funds. The cost may be high due to the small size of the project and the time of year. In the future this project may be combined with another one to possibly help reduce the cost. Commissioner Davis made the motion to reject the bid for resurfacing J.R. Holt and Church Streets. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously. Therefore, the budget amendment is not needed at this time.

Mayor Andrews presented an ordinance allowing the sale of alcoholic beverages beginning at 10:00 a.m. on Sunday within the Town Limits of Broadway. This ordinance is also referred to as the "Brunch Bill." It applies to retail establishments and restaurants. Commissioner Davis made the motion to decline the brunch bill ordinance. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Mayor Andrews presented a revised ordinance regarding weeds: schedule for cutting vacant lots. Counsel Love recommended cutting the lot to eight inches. The courts consider eight inches as reasonable and tend to uphold that height. It is hard to enforce any height cut lower than eight inches because it becomes an aesthetic issue rather than a nuisance. The consensus of the Town Board was to set the height limit at six inches. Commissioner Woody Beale made the motion to change the ordinance to a height limit of six inches. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously. A public hearing will be held at the September meeting before officially changing the existing ordinance.

Manager's Report – Town Manager Kornegay gave an update on code enforcement issues. A property owner, in Edgewater Estates, plans to meet with the Town Manager this week concerning junk vehicles. She will have to show proof the vehicles run. The vacant lots on West Harrington Avenue have been mowed. Mr. Kornegay is still talking with a Hickory Avenue property owner about removing household garbage bags from his yard.

The Town Manager reported that the Town Hall is progressing nicely. Tim Sherman has been giving weekly reports and pictures of the progress. Walls on the building may go up this week. On Thursday at 2:00 p.m. there is a meeting with USDA, Sanford Contractors, Tim Sherman and Mr. Kornegay for reviewing and approving invoices.

The Public Works Director has requested the construction of a shelter to cover the dump truck and rotary cutter. Dale Sharpe has quoted a price of \$4,000. The shelter will be built at the maintenance shop and will be similar to a lean to; it will not be enclosed.

Mr. Kornegay has received a quote of \$1,100 for replacing the baseboards at the community building. This project will be underway in September.

The new swings and bench have been put up in the Town Park.

Commissioner Comments – Mayor Pro Tem Beal gave an update on the last Triangle J meeting. Four municipalities joined Triangle J Wednesday night: Aberdeen, Micro, Pinehurst and Southern Pines. Triangle J received two awards—one from TARPO (only 19 were given in the United States) and one from TDM (Transportation Demand Management).

Commissioner Woody Beale reported that a tree was struck by lightning in the right of way next to Mark Thomas' driveway. It will eventually die and needs to be removed. At the stop sign on Swann Station Road before 421, the bushes need to be cut back because there is not much visibility for motorists. The county DOT representative will be notified of these issues.

Commissioner Harrington thanked everyone for the calls, cards and visits she received at the passing of her sister. She especially thanked Tommy and Wanda Beal for making the two hour round trip to attend her sister's memorial service.

Mayor Comments – Mayor Andrews stated that the shrubs and trees at the new town hall location will be moved in the fall. The crepe myrtles will be relocated behind the new facility, and the shrubs will be moved behind the downtown parking lot. Commissioner Harrington mentioned that the Woman's Club plans to donate a tree to the new town hall location.

The unveiling of the mini-library will be held on Friday, September 1 at 10:00 a.m. At this time the box will be mounted and filled with books at the NCVM. This project is sponsored by the Lee County Partnership for Children.

As mentioned earlier, the Broadway Christmas Parade will be held on Saturday, December 9.

SAGA is hosting a ribbon cutting for the welcome center/visitors center on the 1st floor of the Buggy Factory. It is scheduled for this Thursday at 4:30 p.m. Some

information about Broadway will be placed in the Welcome Center. The General Assembly passed the occupancy tax. SAGA will hold its annual banquet in September.

The Joint Planning Commission is working on the 2020 Land Use Plan and will have more meetings to discuss the plan. In the coming months the JPC will come before the Town Board.

Broadway Baptist Church hosted a luncheon for Broadway Elementary teachers and staff. It was very nice and well attended. School is now in session. Please watch out for school traffic, buses and pedestrians.

Mayor Andrews entertained a motion to go into closed session per G.S. 143-318.11 to consult with Town Counsel to preserve the attorney-client privilege between the attorney and the Board of Commissioners. Commissioner Woody Beale made the motion to go into closed session. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

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

Donald F. Andrews
Mayor

Laura K. Duval
Town Clerk