

TOWN OF BROADWAY
BOARD OF COMMISSIONERS

MEETING MINUTES

AUGUST 24, 2020

A scheduled meeting of the Board of Commissioners was held on Monday, August 24, at 6:00 p.m. in the Council Chamber, 103 N. Main Street, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Lynne Green, Janet Harrington, and Teresa Kelly. Mayor Pro Tem Tommy Beal and Commissioner Jim Paschal attended the meeting virtually. Also, Town Manager Eddie Thomas, Town Counsel Jimmy Love, 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.

Commissioner Harrington made the motion to accept the Agenda as presented. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Consent Agenda – Approval of July 27 Board Meeting Minutes and the July Financial Statement. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Public Comments – Paul Mashburn, 116 Johnson Street, voiced his concerns about flooding on Johnson Street during heavy rains. He stated they have had this problem for many years. Ditches and culverts go through their back yards taking water off Main Street. Mr. Mashburn is concerned that the road widening may add drainage. He doesn't understand why citizens should have to pay for the Town's water runoff. Sometimes the water going across his back yard is 6-12" high, compromising his camper, truck and shed. The ditch also needs to be cleaned out. Mr. Mashburn advised he took video of the last flooding and sent it to Town Manager Thomas if the Board would like to view it.

Sandra Edwards, 112 Johnson Street, shared an article from the Sanford Herald dated 8-11-1997, featuring the flooding problem at her home. She has lived there 30 years, and an actual moat forms around her house during heavy rains. Ms. Edwards has spent many thousands of dollars trying to move the water away from her house. She has put in underground piping, placed rip rock stone in the ditch to prevent erosion, etc. The flooding gets worse as the years go by and is never ending. She understands the natural flow of the water, but the severe flooding is a serious matter. Johnson Street is low and receives water runoff from Main Street, Milton Avenue, and Misty Lane. The ditch is filled with sediment from Broadway Road, such as, trash, limbs, dirt, rocks and

needs to be cleaned out. Neighbors are losing their driveways. The rip rock stone has washed out. She described it as atrocious. Ms. Edwards hopes that the Town can work with homeowners to solve the problem together.

Marjorie Mundy, 114 Johnson Street, expressed that their yards are horrible during a hard rain. When Ms. Edward's yard floods, water runs into Ms. Mundy's carport. The water run off causes erosion of dirt. Her backyard always floods. She stated something needs to be done.

Janet Mashburn, 116 Johnson Street, stated she has lived at this address since 1995. The flooding was a problem then and has only gotten worse. The water in her backyard is sometimes ankle to knee deep high. She is very concerned about the amount of water that could be generated by a hurricane.

New Business - Mayor Andrews presented an agreement with Lee County for CARES Act Funding. The US Congress signed into law a \$2.2 trillion Coronavirus Aid, Relief and Economic Security (CARES) Act. In May, the NC General Assembly signed into law and directed \$150 million in immediate need to counties with an additional \$150 million in reserve. Lee County is receiving \$1,199,004 in aid from the second wave of funding, and it will be distributed to the City and Town like sales tax. The Town will receive \$25,118.29. This money can be put towards police officers' salaries since they may be exposed to COVID-19 in the line of duty. That amount is equivalent to six weeks' worth of salary. According to the County, it is a legitimate expense. This funding will put the Town on more solid ground financially. Commissioner Kelly made the motion to adopt the CARES Act Funding agreement. The motion was seconded by Commissioner Green. Motion carried unanimously.

Town Manager Thomas presented four bids for resurfacing Colonial and Crystal Drives. ST Wooten Corporation bid \$49,188, Johnson Brothers Utility & Paving, Inc bid \$53,191, Riley Paving bid \$65,616, and Sandhills Contractors, Inc bid \$70,534. All bids are certified, and Ken Bright recommended the Town use ST Wooten for the resurfacing project. The Mayor and Town Manager also recommended the bid be awarded to ST Wooten to resurface Crystal and Colonial Drives. Commissioner Harrington made the motion to award the resurfacing bid to ST Wooten. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Mayor Andrews presented a budget amendment appropriating \$90,000 for resurfacing projects. \$90,000 will be appropriated to Street – Capital Outlay from Unallocated Powell Bill. An additional street may be resurfaced since the bid came in lower than anticipated. Commissioner Harrington made the motion to adopt the budget amendment. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Town Manager Thomas presented two resolutions for grant applications for the water and sewer feasibility studies. Each grant is in the amount of \$50,000. If approved, Mr. Thomas will send the resolutions to Withers-Ravenel tomorrow. Commissioner Kelly made the motion to adopt the resolutions for water and sewer grants. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Mayor Andrews discussed two quotes that Mr. Thomas secured for the walking trail. It will cost \$15,000 to pave the trail with asphalt. The cost of putting down crush and run is \$6,000. This expense was not budgeted. The Town Board feels uncertain about this fall. There could be a money shortfall. They prefer considering the paving in the future. The Board understands the walking trail is used and needs to be re-habed. It has been five or six years since any rehab was done to the trail. The worst part is the upper area towards the 300 block of East Lake Drive. Commissioner Kelly suggested contacting local civic clubs to inquire if they would be interested in donating to this project. If donations are made, the Town could possibly match the donations. Commissioner Kelly and Commissioner Harrington agreed to talk with the civic clubs.

Mayor Andrews presented quotes for laptops and iPads for the Town Board. The Mayor obtained quotes from MarketSpace Solutions that work with many municipalities. The quote for six laptops is \$4,643.63, and the quote for 6 iPads is \$3,381.84. The laptop weighs 3 or 4 lbs. and has more features. The iPad is lightweight and can be used for taking pictures. In order to go digital, the entire Board must agree to go digital. It must be determined where to take the cost from the budget. There is very little savings going digital. The agenda packets take less than a case of copy paper per year. The Town does need at least one laptop for virtual meetings. We have to keep in mind that we do not have an IT person on staff. Mayor Andrews encouraged the Board to think about these options, and a decision can be made at the September meeting.

Mayor Andrews gave a brief history on the Johnson Street development. In 1971 Hoover Johnson began developing Brookwood Subdivision. He developed 30 acres with 48 lots. The property runs from the fire department and Jones Garage to Sammy McNeill's and Clea Thomas' homes. Mr. Johnson put the 24" pipe in and should have run it all the way to Smith Drive, but the ditch ends behind Ms. Mundy's house.

Town Manager Thomas has visited the residents on Johnson Street several times regarding the flooding. Emergency Management brought a drone for surveying the area. The flooding issue comes up every few years. Mayor Andrews talked with Vic Czar, Public Works Director for the City of Sanford, about this issue. The Town did not put in the pipe; the developer did. The Town has no easement on the drainage pipe, located on private property. Counsel Love stated public funds cannot be used for private problems. He also stated that the storm water infrastructure was put in by a private developer. Re-routing water is a serious problem and is very expensive. Counsel Love advised the Town to get an expert opinion from the state. He understands the flow of water can be unusual. DOT may be able to help alleviate some of the problem when the road widening project resumes.

The Mayor and Town Manager did notice that the deluge of water is washing away the top of the sewer line. The Town must address this problem in order to protect the integrity of the sewer line. The ditch could be cleaned out, but the Town is not responsible for extending it. Cleaning out the ditch may possibly cut down on some of the water. A legal agreement would have to be drawn up between the Town and the property owners. The Town will check for any blockages on the right of way.

Mayor Andrews plans to talk with the state highway commission for advice on this matter. He will also speak with the DOT Division 8 Engineer about the problem. The Mayor inquired if there is a storm water ordinance in the UDO, but Mr. Downey advised there is not a storm water ordinance. The Town Board agreed that Town Manager Thomas should talk with Dr. Sikes about obtaining an easement or agreement so that the Town can go on his property to access the sewer line. They feel this is the first step in the process.

Manager's Report - Town Manager Thomas reported that letters have been sent to all customers in arrears. Four people have signed up for the payment plan, seven have paid their account in full, one has moved, and 14 customers have not responded at all. September 25 is the cutoff date. Now, the total amount of arrears is \$6,233.94, which is \$3,000 less than first reported.

Mr. Thomas advised he has a teleconference scheduled for Thursday with Withers-Ravenel to discuss the water and sewer grants. They have reported it is looking good for receiving the grants.

Town staff are working hard to keep COVID-19 out of the Town Hall. We have plenty of supplies and disinfectant. Mr. Thomas appreciates the efforts of staff as they clean the reception area.

Commissioner Comments - Commissioner Green stated she appreciates staff keeping the facility safe.

Commissioner Harrington appreciated the Mayor and Town Manager for their work on the Johnson Street flooding issues.

Commissioner Kelly welcomed Commissioner Paschal to the meeting. She's glad he's improving and is keeping him in her prayers.

Mayor Comments – The Mayor advised the joint Public Hearing for the Planning Board and Town Board is scheduled for September 14 at 6:00 p.m. in the Community Building. There will be several challenges due to social distancing. With these restrictions, the building can hold 25 people. The Town will have nine representatives, the Planning Board will have nine representatives, and the developer and architect will have five representatives in attendance. Mayor Andrews advised public comments can be submitted to the Town Clerk by 5:00 p.m. on September 14. The Town Manager will be the doorkeeper and sign up citizens who wish to speak. He will have to escort them in and out. In order to practice social distancing, only one person at a time can come in to make comments.

Mayor Andrews stated the community meeting went well. The developer and planning staff answered questions very well. Some citizens used this opportunity to discuss other issues with the Town Manager.

DOT is working on Vernon Street to try to help with flooding at Cameron Grove Church. Vernon Street is a state maintained road, and the flooding involves private property.

The Mayor would like to move forward on code enforcement issues. After the Town Manager spoke with a resident concerning bulk trash issues, the response was an excess of bulk trash added to the existing pile. The Town Manager will send a letter of violation to the resident. Other places in Town will be addressed, also. Community Development and Planning will look at homes that are used as an ongoing business or never ending yard sale.

Census staff started going door to door about two weeks ago.

The junk car ordinance stipulates a car has to run and must have more than \$100 value. That is stipulated in the General Statutes.

Maintaining grass cutting per Town ordinance is an ongoing issue.

A car ran through the stop sign at Mansfield Drive and South Main and tore down azaleas on the side of the former manse. The driver never stopped. A traffic engineer with DOT came and assessed the intersection. Reflectors have been placed on the road, a larger stop sign was erected, and a stop ahead sign was posted.

With no further business to come before the Town Board, Mayor Pro Tem Beal made the motion to adjourn the meeting. The motion was seconded by Commissioner Paschal. Motion carried unanimously to adjourn.

Donald F. Andrews
Mayor

Laura K. Duval, Town Clerk