

TOWN OF BROADWAY  
BOARD OF COMMISSIONERS  
MEETING MINUTES

MAY 24, 2021

A scheduled meeting of the Board of Commissioners was held on Monday, May 24, at 6:00 p.m. in the Community Building, 111 N. Main Street, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Lynne Green, Janet Harrington, and Jim Paschal. Also, Town Counsel Jimmy Love, Town Manager Eddie Thomas, and Town Clerk Laura Duval were present. Commissioner Kelly was out of town and unable to attend the meeting.

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

Mayor Andrews recognized Broadway Police Chief Hinnant. The Chief introduced the new patrol officer, Allegra Hogan. She was born and raised in Lee County and graduated from Lee Senior High School. Allegra is also a graduate of Appalachian State University and completed the BLET program at CCCC. Allegra stated she is very excited about working with Broadway PD, and Mayor Andrews welcomed her aboard.

The first item of business was a joint public hearing with the Broadway Planning Board and the Board of Commissioners on a rezoning request. Amy McNeill, Zoning Administrator, presented the request by Mr. Scott Yow. He is requesting to rezone a 1.09± acre tract of land with frontage on Seminole Road, adjoining/east of 675 Seminole Road and adjoining/west of 593 Seminole Road, from Residential Agricultural (RA) to General Commercial (C-2) so that the existing commercial land use will be in compliance with the zoning district and to allow the expansion of additional commercial uses on this property. Therefore, Mr. Yow has submitted this Zoning Map Amendment Application for consideration. This is a standard general use rezoning request, as opposed to a conditional rezoning request; therefore, no site plan/subdivision plans or building plans are required as part of the rezoning request.

The existing zoning is Residential Agriculture, which is established to provide areas for low density single family uses, low intensity agriculture operations as well as agri-business and supportive industrial and commercial uses.

Examples of uses permitted by right with the RA zoning district include detached single-family homes (site/stick built, modular, and mobile homes), parks/playground/athletic fields and churches. Permitted uses for RA zoning district are listed in the agenda packet.

The proposed zoning district is General Commercial (C-2), which is established to provide areas for general commercial activities designed to serve the community such as shopping centers, repair shops, wholesale businesses, and retail sales with limited outdoor display of goods. C-2 is included in the agenda packet for reference.

The adjacent zoning and land uses are North: opposite Seminole Road is vacant wooded land and a single-family home on land zoned RA located in Harnett County but is in Broadway's ETJ, South: adjoining the site to the south is a single-family home and farm fields on land zoned RA in Broadway's ETJ, East: adjoining the site to the east is a single-family home and farm fields on land zoned RA in Broadway's ETJ, and West: adjoining the site to the west is a commercial lease building with several tenants and a convenience store on land zoned C-2 in Broadway's corporate limits.

The long-range land use plan for Lee County does not include this area since it is within Harnett County. The 2015 Grow Harnett County Comprehensive Growth Plan identifies this site as "Agricultural & Rural Residential." It adjoins a "Rural Center" designation that includes the adjoining area that is commercially developed and within the Broadway corporate limits. The site is not in an overlay district for Broadway or Harnett County.

Water and sewer access would have to be verified by the Town Manager of Broadway before any development is proposed.

There is public frontage on Seminole Road (SR1280), an NCDOT maintained street, and driveway permits may be required by NCDOT.

If rezoned, all of the uses permitted in C-2 zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

Regarding the staff recommendation even though this request does not correspond with the "Grow Harnett County Comprehensive Growth Plan, staff is supportive of this request because the subject property has frontage on Seminole Road, it adjoins existing commercial development, and staff has not had a complaint regarding the development of this site in a commercial manner even though it is clearly visible in 2017 GIS aerial images; therefore, it appears to be reasonable and in the public interest.

Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment.

Mayor Andrews opened the public hearing for the rezoning request on Seminole Road. Mr. Scott Yow, of 593 Seminole Road, Broadway, spoke in favor of the rezoning. He simply wants his current businesses to be in compliance. Mr. Yow plans to have a propane bottle fill station, and the property needs to be rezoned for that endeavor. That is all he intends to do on that property. No one spoke against the rezoning request. Mayor Andrews closed the public hearing.

Ms. McNeill stated a joint work session with the City, County, and Town and their planning boards was held in March, regarding updating the UDO due to general statute changes. NC General Statutes or state law has changed and combined city references and county references into one reference. Every zoning ordinance within the state is having to be updated so that all the legal references with the ordinances are correct. The City hired an outside law firm to go through the UDO and ensure all necessary changes were made so that it would be in compliance. It is a technical update. This text amendment needs to be adopted by July 1, 2021 in order to be in compliance with state law.

Mayor Andrews opened the public hearing on UDO text amendments related to 160D. No one spoke in favor of or against the text amendments. The Mayor closed the public hearing.

Mayor Andrews advised there would be a short recess so that the Town Board could reconvene at the Council Chamber while the Planning Board and staff hold their meeting in the Community Building.

Mayor Andrews requested the addition of Item A. American Rescue Plan under Old Business. Commissioner Harrington made the motion to accept the Agenda as amended. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Consent Agenda – Approval of April 26 Board Meeting Minutes, May 11 Budget Work Session Minutes, and the April financial statements. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Prior to the budget presentation, Mayor Andrews asked Town Counsel if it is mandatory to have one stop early voting for the municipal election. Mr. Love advised one stop early voting is required. The Mayor explained some adjustments were made to the budget. \$12,000 of revenue from the American Rescue Plan was plugged in the proposed budget but has been pulled until further clarification is received. To account for the reduction, Buildings, Maintenance & Repairs was reduced by \$2,000, and \$10,000 in Code Enforcement was zeroed out. The budget will be adopted at the June meeting. A budget ordinance can be presented for adoption when the American Rescue Funds clarifies legitimate uses for the money.

Town Manager Thomas reviewed his budget message for fiscal year 2021-2022 annual operating budget. The overall general fund budget has been reduced by 2.6%. The tax rate will remain the same at \$.49 per \$100 of valuation. An increase in our tax base will give us approximately \$21,000 in property tax revenue. That, coupled with cuts to the budget, should be able to keep the Town from using fund balance to maintain the budget. \$50,000 will be used from fund balance to pay for a one-time study on the Watson Lake Dam Repair Project, which is mandated by the NC Division of Environmental Quality. This study should give clear direction on the necessary steps to bring the dam up to safety standards.

Mr. Thomas is recommending a \$.90 cent per cart per month increase in solid waste charges. GFL is increasing their rates, and this increase will cover that. The sanitation fee will go from \$14.70 to \$15.60 per month per customer. The Town gets no revenue from sanitation. It's a wash.

Per General Statutes, the water & sewer fund has to fund itself. There has been no increase in rates for seven years; but repairs, chemicals, and supplies continue to increase. Our system is made up of asbestos-cement (AC) pipes, which are 15 to 20 years past their expected life span of 40 years. The system was installed in 1965, so the system is operating on borrowed time. Although the water & sewer budget has been reduced by almost 1%, Mr. Thomas is recommending a 10% increase in water & sewer rates.

Proposed rates are:

Water rates: \$4.62 per 1,000 gallons and \$4.84 for any usage over 4,999 gallons per month

Sewer rates: \$5.17 per 1,000 gallons and \$5.50 for any usage over 4,999 gallons per month

Out-of-town water and sewer rates are double the in-town rate.

Water and sewer rates have not been increased since 2014. Mr. Thomas assured the Town Board and all citizens that Town staff are committed to being as efficient and customer oriented as possible and will continue to strive to make Broadway a great place to live.

Mayor Andrews opened the public hearing on the 2021-2022 proposed budget for the Town of Broadway. No one spoke in favor of or against the proposed budget. The Mayor closed the public hearing.

Information about rate increases will be conveyed to citizens through a mailed letter that is similar to the budget message. The budget will be adopted at the June meeting.

Town Manager Thomas advised the resurfacing of West Harrington Avenue was put out to bid. The Town received two bids for the project, and S.T. Wooten had the lowest bid at \$77,605. They are ready to get started and hope to have the project finished by June 30. Mayor Pro Tem Beal made the motion to award the West Harrington Avenue resurfacing bid to S.T. Wooten. The motion was seconded by Commissioner Green. Motion carried unanimously.

Mayor Andrews presented a budget amendment to pay for the resurfacing project and associated engineering fees. \$83,000 will be moved from Unallocated, Powell Bill to Street-Capital Outlay for resurfacing West Harrington Avenue. Commissioner Green made the motion to adopt the budget amendment. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Mayor Andrews advised the Town Board that new information is received every day regarding the American Rescue Plan, and the information is ever changing. Once the Town Board accepts the funds then budget amendments can be presented for spending those funds. Indications are a separate revenue line item for the funds must be set up in the budget. All paperwork has been submitted to NC Pro as requested. The money flows from the US Treasury to the state then it is distributed to the municipalities and counties. The Town should receive half the money this summer, and the other half will be sent twelve months out. The Town has until 12-31-2024 to commit the money. Now the funds must be spent by 2026. A submission of an annual report is required. Commissioner Green made the motion to accept the money from the American Rescue Plan. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Manager's Report – Town Manager Thomas advised now that COVID restrictions have been lifted, he will be more proactive in interacting with citizens.

Solar lighting has been placed on the flag pole at the Town Cemetery. The solar lighting was replaced on the Town Hall flag pole, also. These lights are working very well and look good.

Town Manager Thomas stated Town staff don't complain. They often go above and beyond. The staff get the job done and really work hard.

Commissioner Comments – Commissioner Harrington thanked the administrative staff for all their work on the budget.

Commissioner Paschal questioned the tree trimming by Xylem. On Smith Drive they left one limb hanging from a tree. Duke Energy contracts to have the trimming done on their right of way (15 feet) every six years. Commissioner Paschal also expressed his appreciation to all the Town staff.

Commissioner Green echoed Commissioner Harrington's comments about Town staff. She said they brag on staff all the time. Commissioner Green also stated she appreciates what Xylem is doing.

Mayor Pro Tem Beal reiterated Commissioner Green's comments, and he appreciates what the staff do.

Mayor Comments – Mayor Andrews thanked Town staff for their hard work. He stated staff go above and beyond every day. They are a great group of folks, and the Town is fortunate to have them. They always do whatever is asked of them. The Mayor asked the Town Manager to express his thanks to Barbara Cox, who puts in a lot of time working on the budget, and to the Police Department and Public Works for all their efforts.

A Memorial Day Service will be held on May 31 at 10:00 a.m. at the NCVM in Broadway. American Legion Post 347 will be hosting this event.

Work continues on Watson Lake Park. A dog waste station has been added. Traffic is now seen at the park all day long. The walking trail is getting good use. The trail was paved by private donations and donations from GFL, Broadway Woman's Club, and Broadway Lions Club. No vehicles have been seen on the trail. One person drove across it and used it as a boat ramp. Signs and concrete bumper barriers have been put up, so this shouldn't happen again. Friends of the Park hope to get donations for three or four benches with backs to place next to the trail and near the edge of the lake. Lett's Tree Removal took down four dead trees before they fell on the trail.

Mayor Andrews is excited about our new police officer. Allegra seems to be a great addition to the community. She came highly recommended and is very personable. The Mayor and Manager think Allegra should be a nice addition to the police force.

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.

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Donald F. Andrews  
Mayor

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Laura K. Duval, Town Clerk