

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING MINUTES

JUNE 28, 2021

A scheduled meeting of the Board of Commissioners was held on Monday, June 28, at 6:00 p.m. in the Council Chamber, 103 N. Main Street, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Lynne Green, Janet Harrington, Teresa Kelly, and Jim Paschal. Also, Town Counsel Jimmy Love, Town Manager Eddie Thomas, 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 the addition of a Closed Session as the last agenda item of business for the purpose of discussing personnel matters and consulting with our attorney. Commissioner Kelly made the motion to accept the Agenda as amended. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Consent Agenda – Approval of May 24 Board Meeting Minutes and the May financial statements. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Public Comment – Kirk Smith, 3108 Avents Ferry Road, Sanford, NC, commended Mayor Andrews for his work on the Fire Advisory Board. He expressed his appreciation to the Mayor for his leadership and his efforts to help the county. He feels Mayor Andrews is the most key individual on that board to make it happen. Commissioner Smith thanked him for everything he does on behalf of the fire departments and first responders, who take care of protecting life, liberty and property. He cannot thank Mayor Andrews enough for the time and effort he puts into his service on the Fire Advisory Board.

Amy McNeill, Zoning Administrator, advised that the Broadway Planning Board recommended that the commissioners approve James Scott Yow's rezoning request for a 1.09± acre tract of land adjoining 675/593 Seminole Road from Residential Agricultural (RA) to General Commercial (C-2) by a unanimous vote. The Planning Board agreed the site is already developed in a commercial manner and the applicant/property owner is asking to rezone to bring the site into compliance; the site is located between an existing commercial site and a residential home, both of which are owned by the applicant; and the comprehensive long-range plan for Harnett County does not appear to take into consideration that Seminole Road is basically an extension

of Main Street in Broadway and that the site adjoins commercial development. Commissioner Kelly made the motion that the proposed zoning map amendment is consistent with the adopted Harnett County Comprehensive Growth Plan. The motion was seconded by Commissioner Green. Motion carried unanimously.

Commissioner Kelly made the motion that the proposed zoning map amendment is reasonable and in the public interest because the subject property adjoins existing commercially developed property along Seminole Road, which is basically an extension of Main Street in Broadway. Therefore, she moved to approve the request to rezone a 1.09± acre tract of land with frontage on Seminole Road, located within the Town of Broadway's Extraterritorial Jurisdiction (ETJ) in Harnett County, and identified as Harnett County Tax Parcel 9681-66-8735-00 from Residential Agricultural (RA) to General Commercial (C-2). The motion was seconded by Commissioner Paschal. Motion carried unanimously.

The Broadway Planning Board also recommended by unanimous vote that the commissioners approve the UDO text amendment pertaining to Chapter 160D. The Planning Board agreed this update is technical in nature and is required per recent changes in the North Carolina General Statutes; and this update must be adopted by July 1, 2021 so that the Town may be compliant with state law.

Commissioner Kelly made the motion to approve the text amendment to the UDO for compliance with NCGS Chapter 160D. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Ms. McNeill presented information for discussion in the public hearing. She advised that the Sanford City Council adopted a UDO text amendment for extended stay hotels, which created for an eighteen (18) month amortization period for all existing hotels to retrofit to comply with these two new requirements: (a) a full-size refrigerator (minimum 5 cubic feet or larger); and (b) a (minimum) two-burner built-in stove or a microwave must be installed. There are no extended stay hotels in Broadway, however, an amendment to the UDO must be jointly adopted.

Mayor Andrews opened the public hearing for those wishing to speak for or against the proposed UDO text amendment for extended stay hotels. No one spoke in favor of or against. The Mayor closed the public hearing.

Ms. McNeill advised a member of the Joint Planning Commission requested to simplify and review land use administration rules for Mining and Quarries. Planning staff suggested removing Section 4.16 Mining Special Use Overlay District (MSUDO); and replacing it with an update of Table 4.6-1 Permitted Use matrix to add "Mining and Quarrying" as a permitted use, subject to supplemental development standards and approval of a Special Use Permit by the Board of Adjustment, in the Residential Agricultural (RA), Light Industrial (LI), and the Heavy Industrial (HI) zoning districts within the jurisdictions of Lee County, City of Sanford, and Broadway.

Mayor Andrews opened the public hearing for those wishing to speak for or against the proposed text amendment for simplifying administration rules for mining and quarries. No one spoke in favor of or against. The Mayor closed the public hearing.

Town Manager Thomas presented the annual operating budget for 2021-2022. As presented at the May meeting, the General Fund Revenues and Expenditures are budgeted at \$1,069,975. Utility Fund Revenues and Expenditures are budgeted at \$433,150, making the total budget \$1,503,125. The tax rate remains the same at \$.49 per \$100 valuation. There is a 10% increase in water and sewer rates, as well as, a \$.90 increase in the monthly sanitation fee. Mayor Andrews advised a letter will be sent to all customers notifying them of the rate increases. Commissioner Harrington made the motion to adopt the annual operating budget for 2021-2022. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Mayor Andrews presented two resolutions for accepting \$50,000 each for water and sewer feasibility grants. Mr. Thomas has been contacted by a representative with Withers-Ravenel, and they will be meeting in the near future to discuss the specifics of the study. The finance person, with Withers, has been in touch with Barbara, so they are on the same page. The process is moving along nicely. The study should take approximately one year. Thereafter, a plan will be presented with four options. Commissioner Green made the motion to adopt the resolution for the water merger/regionalization feasibility grant in the amount of \$50,000. The motion was seconded by Commissioner Paschal. Motion carried unanimously. Commissioner Paschal made the motion to adopt the resolution for accepting the sewer merger/regionalization feasibility grant in the amount of \$50,000. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

The budget amendment presented affects the current year budget, which will close Wednesday. \$7,350 is being moved from Police to \$500 in Governing Body, \$1,750 in Administration, and \$5,100 in Special Appropriations. Commissioner Kelly made the motion to adopt the budget amendments as presented. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Mayor Andrews presented a grant project amendment for the Highway 42/North Main Street Relocation. \$680 will be transferred from Water/Sewer Fund to cover the cost of relocation engineering. The state will reimburse the Town for the cost. Commissioner Kelly made the motion to approve the grant project amendment. The motion was seconded by Commissioner Green. Motion carried unanimously.

The Mayor presented a Resolution Accepting American Rescue Plan Act of 2021 Funds. Commissioner Kelly made the motion to adopt the ARP Funds Resolution. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously. It is projected that the Town will receive \$409,000 in funds. The first half may be received in July and the remaining half in July of next year. The money must be encumbered by December 31, 2024 and spent by December 31, 2026.

Manager's Report – The West Harrington Avenue paving project has been completed. S.T. Wooten did a very good job, and Mr. Thomas has received positive feedback. The citizens seem very appreciative.

The Town is transitioning with our new police officer in place. Officer Allegra Hogan is doing well. She is very conscientious about patrolling and doing her building and house checks. Officer Hogan appears to be committed to doing the right thing, and we are trying to keep her motivated to continue that. Town Manager Thomas asked the Town Board to remember Chief Hinnant. He is very sick with an upper respiratory infection.

Mr. Thomas plans to get a price for striping West Harrington Avenue from the intersection back to Thomas Place. The state owns the unpaved portion closest to the intersection, but the striping is very faded.

Commissioner Comments – Commissioner Kelly thanked the administrative staff for all their work on the budget and for making it easy for them to approve.

Commissioner Paschal advised there is a big pothole on Buckhorn Road before the intersection at Salem Church Road. Buckhorn is outside the Town Limits, but Town Manager Thomas stated he would notify NCDOT.

Mayor Comments – Mayor Andrews still hopes to have a Prescription Take Back Day on a Saturday during the fall.

The Mayor would like to have a dedication for the walking trail in July. He would like to have a small ceremony. Invitations will be sent to the private donors and civic clubs who made donations. The walking trail still gets a lot of use.

Sometime soon the Mayor would like to schedule a time for the Town Board to visit the WWTP. He feels it would be very beneficial for them to see the operation, and potential improvements that may need to be made. The ARP funding will probably be used primarily for infrastructure. Mayor Andrews will send out a couple of dates to choose from for the tour. The Mayor and Town Manager have been developing a wish list for the ARP funds, but further clarification is needed. A generator is needed at Town Hall because the Town shuts down when the power goes out. The building was wired for a generator, and if ARP funds can be used for that, it is worth considering.

Commissioner Kelly asked if the Town could get some additional funding from the County. Mayor Andrews stated collaboration is encouraged. Lee County Commissioner Smith stated the County and City have discussed the possibility of pooling monies in certain areas to avoid duplication of services. They may be able to work with the Town, as well.

Mayor Andrews entertained a motion to go into closed session to discuss personnel matters per G.S. 143-318.11(a)(6) and to consult with Town Counsel per G.S. 143-318.11(a)(3).

Commissioner Paschal made the motion to go into closed session. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

After returning to regular session, there was 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

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