

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING MINUTES

MARCH 28, 2022

A scheduled meeting of the Board of Commissioners was held on Monday, March 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, April Collins, Lynne Green, Teresa Kelly, and Jim Paschal. Also, Town Counsel Jimmy Love, Town Manager John Godfrey, and Town Clerk Laura Duval were present.

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

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

Consent Agenda – February 28 Meeting Minutes, March 8 Work Session Minutes, and February financial statement. Mayor Pro Tem Beal made the motion to accept the consent agenda as submitted. The motion was seconded by Commissioner Green. Motion carried unanimously.

Public Comments – Matthew Myers, of 322 S. Main Street, Broadway, explained his view on the Chicken Ordinance. He currently has 12 chickens, which provide eggs for his family. Mr. Myers described the type of enclosed coop maintained for the chickens and the process of keeping it clean and sanitary. He feels that chickens should be allowed as long as guidelines are in place. Other surrounding towns allow chickens, and he believes Broadway should allow them as well.

New Business – The Town Board reviewed the chicken ordinance that was presented at the February meeting and compared it to the City of Sanford's ordinance. Counsel Love advised that both ordinances permit chickens under certain guidelines. Sanford's ordinance is more elaborate. He recommended the Town Board choose the ordinance that is easiest to enforce and less intrusive to citizens. Mayor Andrews advised Sanford requires a nonrefundable \$40 permit fee for a three-year period. A \$10 technology fee is also required. The City's ordinance requires inspections on the plans for coops and enclosures. The permit can be revoked if the owner is not in compliance. Only hens are allowed. Roosters are not permitted. The setbacks for Sanford are different from the setbacks for Broadway. The Mayor reviewed the City's other requirements.

Commissioner Green stated the City's policy seems too strict for Broadway. Commissioner Paschal, Commissioner Collins, and Commissioner Green feel that no fee should be charged. Mayor Pro Tem Beal is uncertain about changing the ordinance to allow chickens. He feels the ordinance prohibiting them was passed ten years ago for a reason. The Town Board discussed changes to the proposed ordinance. Commissioner Kelly asked if the number of chickens allowed should be changed. The Town Board agreed 12 should be the maximum number of chickens allowed, no fee should be charged, but chicken owners should contact Town Hall and give their contact information. It was also agreed that chicken manure must be bagged for disposal or used as compost, a minimum of four square feet of floor space and 12 cubic feet of total volume is required for each hen, and on-site slaughter of chickens is strictly prohibited. A Public Hearing will be held at the April 25 meeting prior to considering the adoption of the proposed ordinance. If adopted, a copy of the ordinance should be given to each chicken owner.

Mayor Andrews presented a contract between the Office of State Budget and Management and the Town of Broadway for approval. This contract pertains to the \$50,000 grant that was awarded to the Town for the NCVM. Town Manager Godfrey is listed as the point of contact. Commissioner Kelly made the motion to approve the contract. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

A Memo of Understanding/Sub-Recipient Contract between the Town of Broadway and the NCVM, Inc. was presented for approval. The money from the state grant will flow through the Town to the NCVM, Inc. Mayor Pro Tem Beal made the motion to approve the Memo of Understanding/Sub-Recipient Contract. The motion was seconded by Commissioner Collins. Motion carried unanimously.

A Grant Project Amendment was presented for approval that will be used to complete the NC Disabled Veterans Monument. \$50,000 is appropriated for the project as a Transfer of funds to Local Non-Profit. \$50,000 from the NC Capital & Infrastructure Grant is expected in revenues that are anticipated to complete the project. Disbursement will be on a reimbursement basis. As the NCVM, Inc incurs expenses, they submit an invoice for the Town Manager's approval then the funds will be distributed to them. Commissioner Paschal made the motion to approve the Grant Project Amendment. The motion was seconded by Commissioner Green. Motion carried unanimously.

A three-year audit contract proposal by Joyce & Company was presented for approval. The Town of Broadway works in conjunction with the City of Sanford for audit services. After reviewing RFP's, the City recommended Joyce & Company be awarded the contract. Joyce & Company have performed audit services for the City and Town for seven years. The projected cost of the audit for Broadway is \$13,250. Commissioner Kelly made the motion to approve the audit contract proposal by Joyce & Company. The motion was seconded by Commissioner Green. Motion carried unanimously.

Mayor Andrews was approached by Taylor Phillips to declare April 4 as Brian Kindle Day. This date is Brian's birthday. Mr. Phillips is doing a ride this Saturday, April

2, in Brian's honor. The ride will help raise funds for suicide awareness. Mr. Phillips also made a donation to Lee County Parks & Rec to have the Lett Family Park ballfield renamed after Brian. Mayor Andrews read the proclamation. Commissioner Kelly made the motion to adopt the proclamation declaring April 4 as Brian Kindle Day. The motion was seconded by Commissioner Collins. Motion carried unanimously.

Manager's Report – Town Manager Godfrey reported he and Chief Gunter delivered a letter to a resident referencing the Town's leash law and Lee County Animal Code. The issue appears to be resolved. Mr. Godfrey also sent a letter to a resident about a junk vehicle. He met twice with Code Enforcement staff in an effort to continue to effectively monitor and maintain Town ordinances.

Mr. Godfrey completed the monthly water and sewer reports for NC DEQ.

He obtained permanent license tags for the new Dodge police cruiser.

Town Manager Godfrey is researching the possibility and feasibility of placing holiday lights on the water tower. He has been in touch with Southern Corrosion. A site visit is being planned in the near future.

Public Works Technician Jacob Melvin passed an exam to obtain requirements for certification as a Grade 1 Collections Operator for Water Pollution Control Systems in NC. Public Works Director Craig Buchanan attended a training session and received certification for Operations and Maintenance for Water and Wastewater Utilities.

Mr. Godfrey assisted with coordinating replacement of a fire hydrant on South Main Street. The work was completed by Sandhills Contractors.

He attended a virtual meeting given by Duke Energy on Vegetation Management with City of Sanford staff. There are no direct plans for the Town this year with the exception of possible herbicidal spraying. His office will be contacted in advance when and if this occurs.

The Town Manager and Public Works staff assisted Bobby Cavanaugh of NCRWA in completing the annual Local Water Supply Plan. Mr. Godfrey also assisted Public Works staff with reading water meters and assisted in coordinating a sewer line replacement at Broadway Hardware.

Alys Hannum, with NC DEQ, completed a compliance audit of the WWTP. A physical review and inspection of the plant was completed as well as records kept by the Town Manager. The Town met all the standards reviewed. Craig Buchanan and Jacob Melvin are to be commended.

Mr. Godfrey has received access to Powell Bill online services and has received his water permit from NC DEQ to complete monthly water reports.

Chief Gunter is attending a week long training session in Salemburg, which will focus on his new leadership role. Arrangements have been made with the LCSD and HCSD to assist with coverage in his absence.

Administrative staff continue to effectively complete the daily operations of the Town Hall to include interactions with the public by phone, in person, by mail, and email. The volume of work output by our two employees is to be commended.

Town Manager Godfrey met with various representatives including Code Enforcement, NC Rural Water Association, NC Dept. of Environmental Quality, Duke Energy, Town Counsel, City and County staff and officials as well as Contracted Services including electrical, plumbing and Sandhills Contractors.

Mr. Godfrey has continued to meet with Mayor Andrews as needed to pursue all interests concerning the Town. Staff are currently hard at work preparing for the Broadway Our Way Festival.

Commissioner Comments – Commissioner Kelly expressed her excitement about Broadway Our Way. There is a lot of good music lined up. A good deal of interest has been shown in the festival this year, and she appreciates the committee's work.

Commissioner Green extended kudos to Public Works, Police Department, and admin staff for keeping the Town moving forward. She knows that it is difficult right now in many ways. Commissioner Green talked with a citizen who said he always respected and appreciated the Town Board, but then he heard about some of the decisions facing them and he would pray for them.

Mayor Pro Tem Beal attended a virtual TJCOG meeting. They discussed \$366 million needed at RDU airport and recommended writing a funding letter to help out with 75% of the \$366 million. He will try to get more information about that. NEVI, National Electric Vehicle Infrastructure, was discussed. Charging stations will be placed mainly on the interstates. Driverselectric.gov gives more information on electric vehicles. TJCOG will assist the Town with some of the reporting on government funding. A citizen approached Mayor Pro Tem Beal about the dam. He wanted to know if it is on a state road and who built the dam. Broadway Lions Club built the dam in the 1950's then the Town inherited the lake and the dam when that club folded. Prior to building the dam, McLeod Avenue went down then up the hill.

Commissioner Collins thanked Town Manager Godfrey for his hard work and all other Town staff. A question has been asked if something will be planted on Main Street near the dog spa where a crepe myrtle was removed. Mayor Andrews explained that is a tight space with the utility pole, and the last tree pushed up the sidewalk and pushed against the awning. That's why it was removed.

Mayor Comments – Mayor Andrews stated everyone has been working hard on the Broadway Our Way Festival since October. It will be held on April 16. There will be over 70 vendors. A lot of great entertainment is lined up.

Four benches donated by the Lion's Club will be installed in the coming month at Watson Lake Park. They are already put together and ready to be put in.

The Mayor attended a Joint Planning Commission meeting last Thursday. Public Hearings will soon be held on UDO text amendments pertaining to food trucks, digital signs, drive-up beverage stores, and residential rezonings.

The sidewalk project is moving forward. It will extend from Mansfield Drive to Hollywood Pizza. NCDOT and Withers are in communication about the project. The target day to let is July.

The old town hall parking lot will be sealed and striped in April after the festival.

Mayor Andrews wrote a letter to NCDOT Division 6 about the flea market held near the intersection of 421 and Seminole Road. In addition to being a traffic hazard, it creates a lot of trash and noise there.

The Mayor advised there is one promising candidate for a police officer. He is still in school and will graduate at the end of April. Once background checks and screenings are done, he will be eligible for employment. Hopefully, the PD will get back up to full staff soon.

Mayor Andrews entertained a motion to go into closed session per G.S. 143-318.11(a)(3) and G.S. 143-318.11(a)(6) to consult our attorney and maintain attorney-client privilege and to discuss personnel matters respectively. 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