

**THE ERWIN BOARD OF COMMISSIONERS
AUGUST 2024 REGULAR MEETING
THURSDAY, AUGUST 1, 2024 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARDROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance

2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**

3. **CONSENT**

All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen requests discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

 - A. Regular Meeting on June 6, 2024 **(Page 3)**
 - B. Regular Workshop on June 24, 2024 **(Page 11)**
 - C. Demolition of the Depot **(Page 16)**
 - D. 301 St. Matthews Road- Martin Edwards & Associates **(Page 17)**
 - E. Surplus Town Owned Equipment **(Page 20)**
 - F. Turlington Johnson Annexation- Public Hearing Resolution **(Page 21)**
 - G. Flock Camera Contract **(Page 24)**
 - H. DM2 Retainer Contract Extension FY 2024-2025 **(Page 77)**

4. **PROCLAMATION RECOGNIZING THE ERWIN 15U BOYS JR. LEAGUE BASEBALL TEAM**

5. **RECESS FOR REFRESHMENTS IN RECOGNITION OF OUR HONOREES**

6. **PUBLIC HEARING**
 - A. Duplex, Multi-Family- RMV- Special Use **(Page 80)**
 - B. CCIP Variance **(Page 85)**
 - C. Demolition of 601 Lucas Road **(Page 101)**

7. **NEW BUSINESS**
 - A. SRP-S-134-0117 Resolution

8. **PUBLIC COMMENT**

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers. §160A-81.1

9. **MANAGER'S REPORT**

10. **ATTORNEY'S REPORT**

11. **CLOSED SESSION**

A. Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege

12. **ADJOURNMENT**

IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT (910) 591-4202 AT LEAST 48 HOURS PRIOR TO THE MEETING.

ERWIN BOARD OF COMMISSIONERS**REGULAR MINUTES****AUGUST 1, 2024****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Baker presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, August 1, 2024, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Timothy Marbell, Charles Byrd, David Nelson, Billy Turnage, and Alvester McKoy.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Town Attorney Tim Morris, Town Planner Dylan Eure, Code Enforcement Officer Chris Jones, and Police Chief Jonathan Johnson were present.

Mayor Baker called the meeting to order at 7:00 PM.

Commissioner McKoy gave the invocation.

Commissioner Nelson led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to add New Business after Public Hearing Item A. SRP-S-134-0117 Resolution to authorize the Town Manager to execute documents required by the State for this stormwater grant.

Commissioner Blackmon made a motion to approve the agenda as amended and was seconded by Commissioner McKoy. **The Board voted unanimously.**

CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Minutes of Regular Meeting on June 6, 2024 **(ITEM B)** Minutes of Regular Workshop on June 24, 2024 **(ITEM C)** Demolition of the Depot **(ITEM D)** 301 St. Matthews Road- Martin Edwards & Associates **(ITEM E)** Surplus Town Owned Equipment **(ITEM F)** Turlington Johnson Annexation- Public Hearing Resolution **(ITEM G)** Flock Camera System **(ITEM H)** DM2 Retainer and was seconded by Commissioner Byrd. **The Board voted unanimously.**

PROCLAMATION RECOGNIZING THE ERWIN 15U BOYS JR. LEAGUE BASEBALL TEAM

The Erwin 15U Boys Jr. League Baseball Team and their coaches were recognized for their outstanding season. Commissioner Nelson presented them with a Proclamation Plaque.

The Proclamation is part of these minutes as an attachment.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: Demolition of the Depot

Instruct the Town Manager to obtain bids to demolish the Depot. The Town Manager will also need to have an asbestos inspection completed on the structure before it can be demolished.



TOWN OF ERWIN

Post Office Box 459
Erwin, NC 28339
(910) 897-5648

PLANNING/INSPECTIONS DEPARTMENT

Bid Opening Date/Time: July 18^h, 2024 @ 2:00 PM
Bid Opening Location: Town of Erwin
Town Hall Conference Room
Property Address: 301 St. Matthews Road (HC Tax PIN # 1507-32-9623.000)

You may hand deliver your bid to: Town of Erwin
Attn: Chris P. Jones, Code Enforcement Officer
100 West F Street, PO Box 459
Erwin, NC 28339

or you may mail your bid to: Town of Erwin
Attn: Chris P. Jones, Code Enforcement Officer
100 West F Street, PO Box 459
Erwin, NC 28339

Bids not received by the time and date listed above will be rejected.

Certain clearance activities are to take place upon the lot described above. These include those services which are marked with an X.

- Clearance of Buildings, Debris and Lot
- Clearance of Lot Only
- Clearance of All Buildings
- Clearance of Only the Following Building: Single-family structure with condemnation notice placed on structure
- Clearance of Entire Lot
- Clearance of the Following Portion of Lot:
- Additional Specific Directions: Contractor will be responsible for seeding disturbed areas.

DEFINITIONS:

Building Clearance - The complete removal of all building materials from the lot including foundation, slabs, blocks and bricks

Lot Clearance - The removal of all underbrush, trash, junk, trees less than 6" in diameter down to the bare ground in the immediate area of the structure unless otherwise specified above.

RESPONSIBILITIES OF CONTRACTOR INCLUDE:

- Coordinate with utility companies for the disconnection of all utilities and power and phone lines.
- (X) Obtain any permits required from the Town Zoning Administrator, the County Building Inspection Office and the County Health Department.
- (X) The lawful disposal, at an approved disposal site, of all building materials, trash and brush removed from lot. Provide the Code Administrator with copies of all disposal trip tickets. Burning or burying of any debris is not permitted.

RESPONSIBILITIES OF CONTRACTOR INCLUDE: (continued)

- (X) Grading and smoothing disturbed areas (to accommodate a push mower), sowing grass and covering sown areas with sufficient straw to completely cover ground.

NOTE: Prior to commencing this project, the awarded contractor will be required to provide a current Certificate of Insurance submitted to the Town of Erwin, Planning Department attention Chris P. Jones.

A. Threshold Requirements

- a. Evidence of Insurance is required to be maintained in full effect at no additional cost to the Town of Erwin for the duration of this contract the following minimum amounts of insurance:
 - i. Commercial General Liability with limits not less than \$500,000;
 - ii. Worker's Compensation as specified by State Law;
 - iii. Employer's Liability with limits not less than \$1,000,000 each occurrence;
 - iv. Automobile
 - 1. Property Damage Liability with limits not less than \$1,000,000 per occurrence.
 - 2. Bodily Injury \$500,000 each person
 - v. Prior to commencement of work, Contractor shall furnish to the Town a copy of the Certificate of Insurance from its insurance carrier verifying these coverage amounts and that shows the Town of Erwin as an additional Insured on the Certificate of Insurance.
 - vi. The contractor will hold and save the Town of Erwin, its officers, agents and employees harmless from any liability of any kind while performing under this contract.
- b. Conflict of Interest Statement & Supporting Documentation: Respondent shall disclose any professional or personal financial interests that may be a conflict of interest in representing the Town of Erwin. In addition, all Respondents shall further disclose arrangement to derive additional compensation from various investment and reinvestment products, including financial contracts.

Please fill out this bid form and return all pages by the Bid Date shown at the top of page 1.

Chris P. Jones
Code Administrator
910-591-4204
cpjones@erwin-nc.org

PLEASE PRINT THE FOLLOWING INFORMATION:

Bidder Information: Company Name Martin Edwards + Associates Inc.

Address PO Box 35

Erwin, NC 28339

Phone 910-591-7420

1. I will perform the above described services for a gross bid fee of \$ 2500.00.
2. In addition, I am willing to deduct the sum of \$ 0 for salvageable building/other materials taken from the site and in lieu of a cash payment. These materials will be used to offset the above gross demolition bid price as indicated below.

Item 1 (Gross Bid fee) \$ 2500.00

Subtract Item 2 (Salvage Materials) \$ 0.00

My net bid is \$ 2500.00

two thousand five hundred Dollars Dollars
(My Net Bid in words)

Ashley Dunn
Printed Name of Company Representative

Amy Dunn
Signature of Company Representative



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Surplus Equipment List Police Department July 22 2024

All Used Generation 4 Glock model 22 .40 caliber handgun with 3 magazines, sights, box, and grips.

1. Serial #: STT453
2. Serial #: YCC951
3. Serial #: BHFB809
4. Serial # BCKV915
5. Serial # BFFS235
6. Serial #: BFAZ517
7. Serial #: STT451
8. Serial #: PFT896
9. Serial #: STT455

Smith and Wesson SD9VE Handgun (Court Order released to PD for use or sale) with one magazine

1. Serial #: FWP4283

Winchester Model 1300 Defender 12 Ga. Shotgun.

1. Serial #: L2866473
2. Serial #: L2401788
3. Serial #: L2407260
4. Serial #: L2788126

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: Voluntary Annexation- Turlington Johnson

At our regular June Town Board meeting Town Staff presented a voluntary annexation request for four parcels that are non-contiguous. The four parcels are a part of a potential development that includes eight other parcels. The eight other parcels are in our outside our town limits as well but they are within our Extraterritorial Jurisdiction (ETJ). The potential developers would like to have all 12 parcels under the same zoning jurisdiction. The eight parcels that are in our ETJ are located in our Rural District (RD). If we moved forward with the annexation process for the four requested parcels they would be zoned RD. The developers mentioned that once they started the development process they would like to move forward with having the eight other tracts of land in our ETJ annexed to our Town Limits. But that is not a guarantee and we cannot mandate that they request to be voluntary annexed. If they wish to receive town services for the eight parcels in our ETJ they would need to request to have them annexed.

Attachments:

- Certificate of Sufficiency
- Resolution Fixing Date of Public Hearing

Action Recommended:

- Accept the Certificate of Sufficiency from Deputy Town Clerk and Approve the Resolution Fixing Date of Public Hearing on Question of Annexation.

CERTIFICATE OF SUFFICIENCY

To the honorable Mayor and Board of Commissioners of the Town of Erwin, North Carolina:

I, Katelan Blount, Deputy Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation in the form of metes and bounds.
- b. The area described in the petition is non-contiguous to the Town of Erwin's primary corporate limits, as defined by G.S. 160A-58.1
- c. The petition is signed by and includes the address(es) of all owners of real property lying in the area described therein.
- d. Other findings

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Erwin, this the 22nd Day of July, 2024.



A handwritten signature in cursive script, reading "Katelan Blount".

Katelan Blount
Deputy Town Clerk



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

Mayor
Patsy M. Carson
Mayor Pro Tem
Randy L. Baker
Commissioners
William R. Turnage
Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon

**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION
PURSUANT TO G. S. 160A-31
2024-2025—001**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Mayor and Board of Commissioner of the Town of Erwin has by resolution directed the Deputy Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification of the Deputy Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioner of the Town of Erwin, North Carolina, that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Erwin Town Hall, 100 West F Street, Erwin, NC 7:00 PM. on Thursday, September 5, 2024.


Section 2. The area proposed for annexation is described as follows:

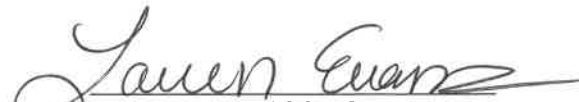
Avery Road- HC Tax PIN: 0588-82-5111
Avery Road- HC Tax PIN: 0588-82-7366
Avery Road- HC Tax PIN: 0588-82-0344
Avery Road- HC Tax PIN: 0588-81-3955

Section 3. Notice of the public hearing shall be published in the Daily Record, a newspaper having general circulation in the Town of Erwin, at least ten (10) days prior to the date of the public hearing.

Adopted this 1st Day of August 2024.

ATTEST:


Randy Baker
Mayor


Lauren Evans, NCCMC
Town Clerk

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Flock Safety + NC - Erwin PD

Flock Group Inc.
1170 Howell Mill Rd, Suite 210
Atlanta, GA 30318

MAIN CONTACT:
Taylor Ellison
taylor.ellison@flocksafety.com
7049426362

flock safety

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Company Overview

At Flock Safety, technology unites law enforcement and the communities they serve to eliminate crime and shape a safer future, together. We created the first public safety operating system to enable neighborhoods, schools, businesses, and law enforcement to work together to collect visual, audio, and situational evidence across an entire city to solve and prevent crime.

Our connected platform, comprised of License Plate Recognition (LPR), live video, audio detection, and a suite of integrations (AVL, CAD & more), alerts law enforcement when an incident occurs and turns unbiased data into objective answers that increase case clearance, maximize resources, and reduce crime – all without compromising transparency or human privacy.

Join thousands of agencies reducing crime with Flock Safety's public safety operating system

2000+	120	18+	<60%*
communities with private-public partnerships	incident alerts / minute	18+ vehicles detected / month	<60% local crime reduction in Flock cities

*According to a 2019 study conducted by Cobb County Police Department

Introduction

Layer Intelligence to Solve More Crime

The pathway to a safer future looks different for every community. As such, this proposal presents a combination of products that specifically addresses your public safety needs, geographical layout, sworn officer count, and budget. These components make up your custom public safety operating system, a connected device network and software platform designed to transform real-time data into a panoramic view of your jurisdiction and help you zero in on the leads that solve more cases, prevent future crimes, and foster trust in the communities you serve.

Software Platform

Flock Safety's out-of-box software platform collects and makes sense of visual, audio, and situational evidence across your entire network of devices.

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Out-of-Box Software Features	
Simplified Search	<p>Get a complete view of all activity tied to one vehicle in your network of privately and publicly owned cameras. The user-friendly search experience allows officers to filter hours of footage in seconds based on time, location, and detailed vehicle criteria using patented Vehicle Fingerprint™ technology. Search filters include:</p> <ul style="list-style-type: none"> ● Vehicle make ● Body type ● Color ● License plates <ul style="list-style-type: none"> ○ Partial tags ○ Missing tags ○ Temporary tags ○ State recognition ● Decals ● Bumper stickers ● Back racks ● Top racks
National and Local Sharing	<p>Access 1B+ additional plate reads each month without purchasing more cameras. Solve cross-jurisdiction crimes by opting into Flock Safety's sharing networks, including one-to-one, national, and statewide search networks. Users can also receive alerts from several external LPR databases:</p> <p><i>California SVS</i> <i>FDLE</i> <i>FL Expired Licenses</i> <i>FL Expired Tags</i> <i>FL Sanctioned Drivers</i> <i>FL Sex Offenders</i> <i>Georgia DOR</i> <i>IL SOS</i> <i>Illinois Leads</i> <i>NCIC</i> <i>NCMEC Amber Alert</i> <i>REJIS</i> <i>CCIC</i> <i>FBI</i></p>
Real-time Alerts	<p>Receive SMS, email, and in-app notifications for custom Hot Lists, NCIC wanted lists, AMBER alerts, Silver alerts, Vehicle Fingerprint matches, and more.</p>
Interactive ESRI Map	<p>View your AVL, CAD, traffic, and LPR alerts alongside live on-scene video from a single interactive map for a birdseye view of activity in your jurisdiction.</p>
Vehicle Location Analysis	<p>Visualize sequential Hot List alerts and the direction of travel to guide officers to find suspect vehicles faster.</p>

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Out-of-Box Software Features (Continued)	
Transparency Portal	Establish community trust with a public-facing dashboard that shares policies, usage, and public safety outcomes related to your policing technology.
Insights Dashboard	Access at-a-glance reporting to easily prove ROI, discover crime and traffic patterns and prioritize changes to your public safety strategy by using data to determine the most significant impact.
Native MDT Application	Download FlockOS to your MDTs to ensure officers never miss a Hot List alert while out on patrol.
Hot List Attachments	Attach relevant information to Custom Hot List alerts. Give simple, digestible context to Dispatchers and Patrol Officers responding to Hot List alerts so they can act confidently and drive better outcomes. When you create a custom Hot List Alert, add case notes, photos, reports, and other relevant case information.
Single Sign On (SSO)	Increase your login speed and information security with Okta or Azure Single Sign On (SSO). Quickly access critical information you need to do your job by eliminating the need for password resets and steps in the log-in process.

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License Plate Recognition		
<p>The Flock Safety Falcon® LPR camera uses Vehicle Fingerprint™ technology to transform hours of footage into actionable evidence, even when a license plate isn't visible, and sends Hot List alerts to law enforcement users when a suspect vehicle is detected. The Falcon has fixed and location-flexible deployment options with 30% more accurate reads than leading LPR.*</p> <p>*Results from the 2019 side-by-side comparison test conducted by LA County Sheriff's Department</p>		
Flock Safety Falcon® LPR Camera	Flock Safety Falcon® Flex	Flock Safety Falcon® LR
<p>Fixed, infrastructure-free LPR camera designed for permanent placement.</p> <ul style="list-style-type: none"> √ 1 Standard LPR Camera √ Unlimited LTE data service + Flock OS platform licenses √ 1 DOT breakaway pole √ Dual solar panels √ Permitting, installation, and ongoing maintenance 	<p>Location-flexible LPR camera designed for fast, easy self-installation, which is ideal for your ever-changing investigative needs.</p> <ul style="list-style-type: none"> √ 1 LPR Camera √ Unlimited LTE data service + software licenses √ 1 portable mount with varying-sized band clamps √ 1 Charger for internal battery √ 1 hardshell carrying case 	<p>Long-range, high-speed LPR camera that captures license plates and Vehicle Fingerprint data for increasing investigative leads on high-volume roadways like highways and Interstates.</p> <ul style="list-style-type: none"> √ 1 Long-Range LPR Camera √ Computing device in protective poly case √ AC Power √ Permitting, installation, and ongoing maintenance

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Your Flock Safety Team	
<p>Flock Safety is more than a technology vendor; we are a partner in your mission to build a safer future. We work with thousands of law enforcement agencies across the US to build stronger, safer communities that celebrate the hard work of those who serve and protect. We don't disappear after contracts are signed; we pride ourselves on becoming an extension of your hard-working team as part of our subscription service.</p>	
Implementation	<p>Meet with a Solutions Consultant (former LEO) to build a deployment plan based on your needs. Our Permitting Team and Installation Technicians will work to get your device network approved, installed, and activated.</p>
User Training + Support	<p>Your designated Customer Success Manager will help train your power users and ensure you maximize the platform, while our customer support team will assist with needs as they arise.</p>
Maintenance	<p>We proactively monitor the health of your device network. If we detect that a device is offline, a full-time technician will service your device for no extra charge.</p> <p><i>Note: Ongoing maintenance does not apply to Falcon Flex devices.</i></p>
Public Relations	<p>Government Affairs</p> <p>Get support educating your stakeholders, including city councils and other governing bodies.</p> <p>Media Relations</p> <p>Share crimes solved in the local media with the help of our Public Relations team.</p>

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flock safety

EXHIBIT A ORDER FORM

Customer: NC - Erwin PD
 Legal Entity Name: NC - Erwin PD
 Accounts Payable Email: jjohnson@erwin-nc.org
 Address: 100 West F St Erwin, North Carolina 28339

Initial Term: 24 Months
 Renewal Term: 24 Months
 Payment Terms: Net 30
 Billing Frequency: Annual Plan - First Year Invoiced at Signing.
 Retention Period: 30 Days

Hardware and Software Products

Annual recurring amounts over subscription term

Item	Unit	Quantity	Total
Flock Safety Platform			\$21,000.00
Flock Safety Flock OS			
FlockOS™ - Essentials	Included	1	Included
Flock Safety LPR Products			
Flock Safety Falcon®	Included	6	Included
Solar Falcon® I.R	Included	1	Included

Professional Services and One Time Purchases

Item	Unit	Quantity	Total
One Time Fees			
Flock Safety Professional Services			
Professional Services - Standard Implementation Fee	\$650.00	6	\$3,900.00
Professional Services - Solar Implementation Fee	\$750.00	1	\$750.00

Subtotal Year 1:	\$25,650.00
Annual Recurring Subtotal:	\$21,000.00
Discounts:	\$4,000.00
Estimated Tax:	\$3,265.51
Contract Total:	\$46,650.00

Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "Renewal Term") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.

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Billing Schedule

Billing Schedule	Amount (USD)
Year 1	
At Contract Signing	\$25,650.00
Annual Recurring after Year 1	\$21,000.00
Contract Total	\$46,650.00

*Tax not included

Discounts

Discounts Applied	Amount (USD)
Flock Safety Platform	\$4,000.00
Flock Safety Add-ons	\$0.00
Flock Safety Professional Services	\$0.00

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Product and Services Description

Flock Safety Platform Items	Product Description	Terms
FlockOS™	Flock Safety's situational awareness operating system.	
Flock Safety Falcon ☉	An infrastructure-free license plate reader camera that utilizes Vehicle Fingerprint® technology to capture vehicular attributes.	The Term shall commence upon first installation and validation of Flock Hardware.
One-time Fees	Service Description	
Installation on existing infrastructure	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.	
Professional Services - Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.	
Professional Services - Advanced Implementation Fee	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.	

FlockOS Features & Description

FlockOS Features	Description
Community Network Access	The ability to request direct access to feeds from privately owned Flock Safety Falcon® LPR cameras located in neighborhoods, schools, and businesses in your community, significantly increasing actionable evidence that clears cases.
Unlimited Users	Unlimited users for FlockOS
State Network (License Plate Lookup Only)	Allows agencies to look up license plates on all cameras opted into the Flock Safety network within your state.
Nationwide Network (License Plate Lookup Only)	With the vast Flock Safety sharing network, law enforcement agencies no longer have to rely on just their devices alone. Agencies can leverage a nationwide system boasting 10 billion additional plate reads per month to amplify the potential to collect vital evidence in otherwise dead-end investigations.
Law Enforcement Network Access	The ability to request direct access to evidence detection devices from Law Enforcement agencies outside of your jurisdiction.
Time & Location Based Search	Search full, partial, and temporary plates by time at particular device locations
License Plate Lookup	Look up specific license plate location history captured on Flock devices
Vehicle Fingerprint Search	Search footage using Vehicle Fingerprint™ technology. Access vehicle type, make, color, license plate state, missing / covered plates, and other unique features like bumper stickers, decals, and roof racks.
Insights & Analytics	Reporting tool to help administrators manage their LPR program with device performance data, user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports.
ESRI Based Map Interface	Map-based interface that consolidates all data streams and the locations of each connected asset, enabling greater situational awareness and a common operating picture.
Real-Time NCIC Alerts on Flock ALPR Cameras	Receive automated alerts when vehicles entered into established databases for missing and wanted persons are detected, including the FBI's National Crime Information Center (NCIC) and National Center for Missing & Exploited Children (NCMEC) databases.
Unlimited Custom Hot Lists	Ability to add a suspect's license plate to a custom list and get alerted when it passes by a Flock camera

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By executing this Order Form, Customer represents and warrants that it has read and agrees to all of the terms and conditions contained in the Master Services Agreement attached.

The Parties have executed this Agreement as of the dates set forth below.

FLOCK GROUP, INC.

DocuSigned by:
Mark Smith
AC5C931454C24F3...

By: _____
Name: Mark Smith
Title: General Counsel
Date: 8/2/2024

Customer: NC - Erwin PD

DocuSigned by:
Snow Bowden
EEF15333F8594CB...

By: _____
Name: Snow Bowden
Title: Town Manager
Date: 8/2/2024
PO Number: _____



William W. Dreitzler, P.E.
7854 Trap Way
Wilmington, NC 28412
Phone: (919) 818-2235
bdreitzler@dm2engineering.com

May 24, 2024

Board of Commissioners
Town of Erwin, North Carolina
Post Office Box 459
Erwin, NC 28339

Attention: Mr. Snow Bowden, Town Manager

Reference: Engineering Retainer Agreement Extension 2024-2025 Fiscal Year

Dear Board:

DM2 Engineering, PLLC is pleased to submit our Proposal to provide engineering and technical support services to the Town of Erwin, NC. Recognizing the professional needs of a municipality along with the associated budget constraints, I am proposing a retainer fee that will allow the Town to spread out the cost of professional services over a fiscal budget cycle and help eliminate the unanticipated costs. The Scope of Services below will be provided to the Town each month regardless of the time required. This approach will assure that the Town is represented by a professional engineer who can operate as a member of the staff. Furthermore, my personal experience within the Harnett County area spans over 35 years and allows the Town access to someone who has a history working with not only Harnett County, but also other municipalities within Harnett County.

SCOPE OF SERVICES

DM2 Engineering will perform the following Scope of Services as they relate to the above proposed retainer contract:

1. Attend Board of Commissioner meetings and provide an Engineer's Report if so requested.
2. Attend Planning Board meetings as requested.
3. Attend Pre-Development meetings as requested to assist the Planning Department.
4. Attend Board of Adjustment meetings as requested.
5. Attend Mid-Carolina Council of Governments Rural Transportation Planning Organization (RPO) meetings, if so requested.

6. Provide engineering technical review and comment for Site Plan Submittals.
7. Provide site inspections for construction projects that have been permitted by the Town.
8. Provide site inspections and construction administration services for Town of Erwin projects.
9. Provide technical assistance with regards to Phase II Stormwater compliance.
10. Provide review and engineering evaluation of the Town's existing stormwater studies and assist with seeking grant funds for improvements.
11. Provide technical review and comment for any sections of the Town's Code of Ordinances that may require review and/or update.
12. Assist the Town and/or private consultants working with the Town, with the preparation of Grant Applications.
13. Assist the Town and work with members of the public who have technical issues such as storm drainage.
14. Assist with the preparation of the Town's annual Powell Bill submittal.
15. Assist the Town's Public Works staff as may be required. This can include evaluation, cost estimating and recommendations regarding potential water and sewer extensions that the Town may desire Harnett County to consider.
16. Assist the Town's Recreation Department staff as may be required.

ADDITIONAL SERVICES

Additional services required beyond that stated in the Scope of Services will be provided if so requested at an agreed upon rate.

RESPONSIBILITY OF OWNER

The following items are to be provided by the Town of Erwin:

17. Provide access to any information that may be required to perform the scope of services.



SCHEDULE

DM2 Engineering proposes that the initial Agreement begin April 1, 2013 and run through June 30, 2013 (3 months) to align with the Town's fiscal budget cycle. If at the end of this initial 3-month period the Town of Erwin is satisfied with the services being provided under this retainer agreement, then the agreement would be extended to run annually from July 1st through June 30th. The agreement would be re-evaluated at each annual budget cycle.

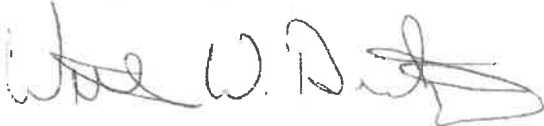
The Town of Erwin Board of Commissioners approves the extension of this Retainer Agreement to run from July 1, 2024 through June 30, 2025. An extension for the 2025-2026 budget may be evaluated by the Board during next year's normal budget cycle.

FEES

DM2 Engineering will provide the above services on a monthly basis, regardless of the time required, for a retainer fee of \$2,000/month paid the first week of each month during the Town's normal payment schedule.

To affect the acceptance of this Retainer Agreement, please execute both originals and return a copy to our office. We appreciate the opportunity to provide our services to the Town of Erwin, NC.

Sincerely,
DM2 Engineering, PLLC



William W. Dreitzler, P.E.
Managing Partner

The Scope of Services, Terms and Conditions of this Retainer Agreement are accepted.

Town of Erwin, North Carolina

print/type individual, firm or corporate name

Sra Bowda Tom Manax

print/type name of authorized representative with title



signature of authorized representative

8/1/2024

date





TOWN OF ERWIN

P.O. Box 459 · Erwin, NC 28339
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TOWN OF ERWIN PROCLAMATION TO CONGRATULATE ERWIN 15U BOYS JR. LEAGUE BASEBALL TEAM 2024-2025—001

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

WHEREAS, Coaches David Nelson, David Johnson, and Seth Swaim and the players on the 2024 Erwin 15U Boys Jr. League Baseball Team led the team to triumph by utilizing a combination of all the attributes of a championship-caliber baseball team; and

WHEREAS, the talented players of this championship team are Elijah Brooks, Parker Swaim, Braxton Swaim, Gavin Summers, Riley Gurkin, Jose Gomez, Noah Carter, Will Page, Gavyn Gilbert, Isidore Wibonto, Carson Gurkin, Seth Swaim, Tyler Harper, Brayden Holland, and Austin Williams; and

WHEREAS, throughout the season the 2024 Erwin 15U Boys Jr. League Baseball Team exhibited the tenacity and determination that would lead them on to victories which included winning 6 games and becoming 2024 Jr. League Baseball Eastern Harnett Champs. Working together, these young men illustrated that drive, skills, and good sportsmanship can certainly pay off, and they serve as a shining example to other athletes and Town of Erwin in general; and


WHEREAS, Coaches David Nelson, David Johnson, and Seth Swaim are to be commended for their hard work and dedication, which provided this team of young athletes with the achievement they will certainly cherish for the rest of their lives; and

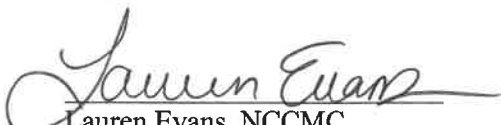
WHEREAS, it is with great pleasure and Town of Erwin pride, that the Town of Erwin Mayor and Board of Commissioners pauses to recognize the accomplishments and dedication of these fine Town of Erwin athletes and their coaches and to congratulate them on their momentous success.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of Erwin, congratulate the 2024 Erwin 15U Boys Jr. League Baseball Team and coaches on an amazing season.

DULY ADOPTED, this the 1st day of August 2024.

ATTEST:


Randy Baker
Mayor


Lauren Evans, NCCMC
Town Clerk

MINUTES CONTINUED FROM AUGUST 1, 2024

RECESSED

Commissioner Byrd made a motion to recess at 7:07 PM for a reception and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

RECONVENED

Commissioner Byrd made a motion to go back into regular session at 7:18 PM and was seconded by Commissioner Blackmon. **Motion Unanimously Approved.**

PUBLIC HEARING

Duplex Multi-Family RMV Special Use

Commissioner Blackmon made a motion to open the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Town Planner Dylan Eure came forward and informed the Board that this was a proposed text amendment to our Ordinances to allow for Duplexes and Multi-Family Homes in the RMV as a special use. This would mirror what was currently in the DMV district. The proposed dimensional requirements would change the minimum lot area of 7,000 sqft to 9,000 sqft and the minimum lot width of 65 ft to 75 ft. This request does support our new Land Use Plan.

Mayor Baker asked if anyone was present to speak in favor of the request, in opposition to the request, or had any questions.

No one came forward.

Commissioner Byrd made a motion to close the Public Hearing and was seconded by Commissioner Nelson. **The Board voted unanimously.**

Commissioner Blackmon made a motion to approve the Ordinance of the Town of Erwin, North Carolina Amending Chapter 36 Article VI-A Residential Mill Village Section 36-155 Special Uses ORD 2024-2025: 002 and was seconded by Commissioner Nelson. **The Board voted unanimously.**

CCIP Variance

Commissioner McKoy made a motion to open the Public Hearing and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Town Planner Dylan Eure informed the Board that 200 North 13th LLC submitted a variance request of 5 ft 9 in for the side setbacks of lot 2B, 25 ft for the side setbacks of lot 2A, and 13 ft 8 in for the rear of lot 2B. This request would allow the property owner to reduce the cost of insurance. The previous subdivision that took place in August of 2023 set 0 ft rear property setbacks for lot 2A.

Mayor Baker asked if anyone was present to speak in favor of the request, in opposition to the request, or had any questions.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: Duplex, Multi-Family- RMV- Special Use

This proposed text amendment was already presented at a previous workshop and the consensus was to move forward with the text amendment. As a reminder, the Planning Board has recommended this text amendment for approval.

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Board of Commissioners
From: Dylan Eure, Town Planner
Date: August 1, 2024
Subject: Duplex, Multi-family – RMV- Special Use

Town Staff has prepared a proposed text amendment to Chapter 36 entitled Zoning under Article VI-A entitled Residential Mill Village within Section 36-155. Said section is the special uses and structures for the RMV zoning district. Per the 2023 Erwin Land Use Plan under Goal 1 LUH 3 and LUH 4 state that it is desirable to allow for greater densities and other forms of non-single-family residences in medium-density zoning districts. The Land Use Plan also states specifically that they are to be placed within the RMV and DMV zoning districts. Town of Erwin staff has also received several different inquiries over the last few months about homes that were constructed to be multi-family or two-family style homes to be used as such. Due to the nature of these homes being tailored to be two-family and multi-family dwellings, these home are challenging to flip and restore, unless the owner wants to convert the home into a single-family residence, which they were never designed to be. In order for these homes to be renovated and prevent further blight it is the recommendation from Town Staff to allow for two-family and multi-family dwellings to be a special use within the Residential Mill Village.

Current definition of a two-family dwelling:

A dwelling arranged or designed for occupancy by two families, with separate housekeeping, cooking facilities for each, and a shared wall.

Current definition of a multi-family dwelling:

A dwelling arranged or designed for occupancy by three or more families, with separate housekeeping and cooking facilities for each.

Proposed special uses to be added to RMV:

- Two-family dwelling
- Multi-family dwelling

Current Dimensional Requirements to be added to RMV:

- Minimum Lot Area: 7,000 sqft
- Minimum Lot Width: 65ft

Proposed Dimensional Requirements to be added to RMV:

- Two-family/Multi-Family: 9,000 square feet per development and an additional 2,000 square feet per unit.
- Minimum Lot Width for Two-family/Multi-Family: 75 feet.

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will hold a Public Hearing on the following items pursuant to NC General Statute 160D-406, on Thursday, August 1st, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339.

- Case BOA 2024-003: This is a proposed subdivision variance for the side and rear setbacks of the parcel. The parcel can be identified by HC Tax Pin: 0597-54-8405/ 200 N 13th St Erwin, NC 28339.
- Proposed text amendment to Chapter 36 entitled Zoning under Article VI-A entitled Residential Mill Village within Section 36-155.
- Proposed demolition of a residence: 601 Lucas Rd- Tax PIN# 1506-49-7328.000

Questions concerning these cases can be addressed to Town Hall at 910-897-5140.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the abovementioned time and place.

7/16,23/2024



TOWN OF ERWIN

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Mayor
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Commissioners
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David L. Nelson
William R. Turnage

**ORDINANCE OF THE TOWN OF ERWIN, NORTH CAROLINA
AMENDING CHAPTER 36 ARTICLE VI-A
RESIDENTIAL MILL VILLAGE
SECTION 36-155. – SPECIAL USES
ORD 2024-2025: 002**

WHEREAS, the current language of Section 36-155- Special Uses reads:

Sec. 36-155. - Special uses.

The following are conditional uses:

- (1) Day care centers, day nurseries, preschools, and similar uses. Day care centers, day nurseries, preschools, and similar uses may not be located within a 300-foot radius measured from the center of the property of another day care center, day nursery, preschool, or similar use.
- (2) Planned unit development.
- (3) Condominiums and townhouse development.
- (4) Nursing homes.
- (5) Clubs or lodges.

WHEREAS, the Town of Erwin wishes to amend the current language of the same in order to better reflect the desired development within the Town's Planning Jurisdiction; and

WHEREAS, the Town of Erwin wishes to amend the current language of the same to read:

Sec. 36-155. - Special uses.


The following are conditional uses:

- (1) Day care centers, day nurseries, preschools, and similar uses. Day care centers, day nurseries, preschools, and similar uses may not be located within a 300-foot radius measured from the center of the property of another day care center, day nursery, preschool, or similar use.
- (2) Planned unit development.
- (3) Condominiums and townhouse development.
- (4) Nursing homes.
- (5) Clubs or lodges.
- (6) **Two-family dwellings**
- (7) **Multi-family dwellings**


NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Erwin, North Carolina that the current language as herein found with respect to Section 36-155- Special Uses of the Town Code includes such language as herein indicated by red bold print.

Adopted this 1st day of August 2024.

ATTEST:



Randy Baker
Mayor



Lauren Evans NCCMC
Town Clerk

MINUTES CONTINUED FROM AUGUST 1, 2024

Norman Avery, Manager of the Central Carolina Industrial Park, came forward and was sworn in by the Town Clerk Lauren Evans.

Mr. Avery stated that the application showed where everything was located in reference to the old mill. This request would financially help the company that owns the Mill. The company has been forking a lot of money into the mill and continuing to put money in it, but they need a break somewhere and they were asking the Board for this request.

Mayor Baker verified that the company will not be increasing the outside existence of the building.

Mr. Avery confirmed that was correct. The building structure will stay the same as it has since 1903.

Mayor Baker asked if anyone else was present to speak in favor of the request, in opposition to the request, or had any questions.

No one came forward.

Commissioner Byrd made a motion to close the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other land or structures in the same district. Reasoning that the property was created before the Town of Erwin was incorporated, therefore it did not have to conform to any setback regulations at the time it was constructed.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Nelson, and unanimously approved by the Board that granting the variance requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located. Reasoning that the variance is solely for setbacks that are unable to be met due to the property being constructed before Erwin Ordinances was adopted and Erwin's incorporation.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that a literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located. Reasoning that enforcing the setback regulations would deprive the owners of further subdividing the property to save on expenses of their ownership.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. Reasoning that there is no evidence as to why further subdivision is injurious to the neighborhood or the general welfare.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that special circumstances are not the result of the actions of the applicant. Reasoning the property was constructed before Erwin zoning ordinances therefore did not have to be created based on Erwin's setback standards.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Nelson, and unanimously approved by the Board that the variance requested is the minimum variance that will

MINUTES CONTINUED FROM AUGUST 1, 2024

make possible the legal use of the land, building, or structures. Reasoning the applicant's request is the minimum that would make it able to the subdivision feasible.

Commissioner Blackmon made a motion that due to all of the statements of reasonableness being found in the affirmative and all characteristics of hardship being met and compatible with the Town of Erwin's Code of Ordinances said subdivision for the property located at 200 N 13th St. be approved.

Demolition of 601 Lucas Road

Commissioner Blackmon made a motion to open the Public Hearing and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Code Enforcement Officer Chris Jones stated the case number was HC-177-23. The minimum housing process for 601 Lucas Road started in August 2023. The inspection was conducted on September 4, 2023. During the inspection, it was discovered that the home had multiple failure points and there was no electricity, heat, or air conditioning. The water had been disconnected prior to the inspection and plumbing issues were causing leaking and water damage on the inside and outside of the house. The floor jounce was broken and sections of the roof were missing.

Mayor Baker asked if anyone was present to speak regarding the demolition of 601 Lucas Road.

Jo Ann Hall, the owner of 601 Lucas Road, came forward and was sworn in by Town Clerk Lauren Evans.

Ms. Hall stated she was instructed to move out of her home at 601 Lucas Road due to the condition of the house. She stated there was electricity at the home, but the water was disconnected. If the Town wanted to tear the house down then that is fine but she did not want to lose her land. She asked the Board to please let her keep her land and not put a lien against it. She had no one to help her other than her friend who she was currently staying with. Her brother and her children did not help her. The home was not repairable and not livable and she understood why it needed to be demolished but she needed time to get her stuff out of the home.

Mayor Baker informed Ms. Hall that the Town would use taxpayers' funds to demolish the home, and she would have to reimburse the Town for the cost of demolishing her home. He referred it to our Town Attorney Tim Morris.

Town Attorney Tim Morris stated that he understood Ms. Hall wanted to keep her land but due to using Tax Payers' funds, the Town was not in a position to waive the cost of the demolition and she would be liable to reimburse the Town the full amount. He did believe the Board had the authority to allow Ms. Hall to set up a payment plan.

Mayor Baker asked if anyone else was present to speak regarding the demolition of 601 Lucas Road.

No one came forward.

Commissioner Blackmon made a motion to close the Public Hearing and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Commissioner Blackmon made a motion to approve An Ordinance Directing the Town Manager to Remove or Demolish the Property Herein Described as Unfit for Human Habitation and Directing that a Notice Be Placed Thereon that the Same May Not Be Occupied ORD 2024-2025:001 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: CCIP Variance

The Town received a subdivision variance request for the site of the Central Carolina Industrial Park (the mill). The Town approved a hardship subdivision variance for the site last year that allowed the site to be subdivided into two separate parcels. They are asking for another variance that would allow another portion of the site to be subdivided into a separate parcel. Our Town Planner Dylan Eure has reached out to the UNC School of Government and he was told that the applicants can request this type of variance even though one has already been granted for the site.



TOWN OF ERWIN

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Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

8/1/2024

BOA-2024-003 **Memorandum**

Variance Description

200 North 13th LLC has submitted a variance request of the amount of 5ft 9inches for the side setback of lot 2B (adjacent to Chief Joseph Lane), 25ft for the side setback of lot 2A (adjacent to W J Sheet), and 13ft 8inches for the rear of Lot 2B (adjacent to the drainage pond). The purpose of this additional subdivision would allow for the current owners of the mill to reduce the cost of insurance on the properties due to the different planned uses for each of the areas. The previous subdivision that took place in August of 2023 was due to a similar reason to reduce the cost of insurance required. This subdivision set 0ft rear property setbacks for the lot 2A.

Property Description

The total size of the parcel that is to be subdivided is 29.44 acres. If the proposed subdivision were to be approved it would then further subdivide the parcel into 2 tracks with the lot being labeled as 2A comprising 19.96 acres and the lot labeled as 2B comprising 10.42 acres. The most recent subdivision of the property took place in August of 2023 when 0ft setbacks were established for the rear of the property due to a tunnel running across both properties. Lot 2A contains 2 large buildings with parking, while lot 2B contains side-by-side individual units with another parking area.

Applicable Regulations

The following regulations are the applicable dimensional requirements for M-1 zoning:

1. Min lot area: 40,000Sqft
2. Min lot width: 100Ft
3. Min front yard:40Ft
4. Min rear yard:20Ft, 30ft if against residential
5. Min side yard:15, 30ft is against residential

Regards,

Dylan Eure
Town Planner



Variance Application (February 2011)

Name of Applicant	Levi Gross	Property Owner	200 North 13 LLC
Mailing Address	320 Roebling St. #125	Mailing Address	320 Roebling St. #125
City, State, Zip	Brooklyn NY 11211	City, State, Zip	Brooklyn NY 11211
Telephone	910-250-5025	Telephone	910-250-5025
Email	levi@ccipnc.com	Email	levi@ccipnc.com

Address of Subject Property	100 North 13 St. Erwin, NC 28339
Parcel Identification Number(s) (PIN) of Subject Property	0597-54-8405.000

Variance Description: On a separately attached document, please state the particular zoning regulation for which the variance is being requested. Also state the requested variance (For instance, in the case of a setback variance request: If the required side yard setback is 12’ and the applicant can only meet a 10’ setback; then the applicant will be requesting a 2’ variance from the 12’ setback requirement.). Please attach a site plan with all appropriate dimensional notations needed to demonstrate the variance request if applicable.

Findings of Fact: The following are the findings of fact associated with a variance request. Applicant is to note that all of the following findings must be found in the affirmative in order for the requested variance to be granted. The applicant is requested to review each of these findings and answer the same to the best ability of the applicant. Responses to each of these findings may be attached to this application on a separate document.

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located.
- c. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located.
- d. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- e. The special circumstances are not the result of the actions of the applicant.
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

Owner/Applicant Must Read and Sign

The undersigned property owner, or duly authorized agent/representative thereof certifies that this application and the forgoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. The undersigning party understands that any incorrect information submitted may result in the revocation of this application. The undersigning party authorizes the Town of Erwin to review this request and conduct a site inspection to ensure compliance to this application as approved.

Levi Gross
Print Name

Levi Gross
Signature of Owner or Representative

06/24/24
Date



Variance Application Information

**Part 9
Chapter 4
Article 10**

Board of Adjustments

§ 9-4101.2 Powers and duties.

The Board of Adjustment shall have the following powers and duties:

To authorize upon appeal in specific cases variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in undue hardship, so that the spirit of this ordinance shall be observed and substantial justice done.

A charge shall be made to the appellant according to town policy in order to cover administrative and advertising costs (Subsection (d)).

A public hearing shall be held at which all of the following conditions must be found to exist:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located.
- c. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located.
- d. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- e. The special circumstances are not the result of the actions of the applicant.
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

In considering all proposed variances from this ordinance the Board shall, before making any finding in a specified case, first determine that the proposed variance will not constitute any change in the zone shown on the zoning map and will not impair an adequate supply of light and

air to adjacent property, or materially increase the public danger of fire and safety, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, morals, and general welfare.

No permitted use of land in other districts shall be considered grounds for the issuance of a variance. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any expressly or by implication prohibited by the terms of this ordinance in said district.

In granting a variance the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purposes of this ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

Central Carolina Industrial Park/200 North 13 LLC
320 Roebling St. #125 Brooklyn NY 11211

6/25/2024

Dear Members of the Town of Erwin Planning Department,

We are writing to formally request a variance to complete the subdivision of our property at 100-200 North 13 St.

The specific variances we are seeking are as follows:

1. The side setback of Lot 2B, towards Chief Joseph Lane: A variance of 5 feet and 9 inches for the side setback.
2. The side setback of Lot 2A, towards W J Street: A variance of 25 feet for the side setback.
3. The Rear Setback of Lot 2B, towards the former drainage reservoir: A variance of 13 feet and 8 inches for the rear setback.

These variances are requested to enable us to subdivide the property, which will benefit its redevelopment.

We appreciate your consideration of this request and are available to provide any further information or clarification as needed.

Sincerely,

Levi Gross, Office Manager

levi@ccipnc.com

910-250-5025



BOARD OF ADJUSTMENTS VARIANCE REQUEST STAFF REPORT

Case: BOA-2024-003

Dylan Eure, Town Planner

deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Board of Commissioners Meeting Date: 8/1/2024

Requesting a subdivision variance in the amount of 5ft 9 inches for the side setback of lot 2B (adjacent to Chief Joseph Lane) , 25ft for the side setback of lot 2A (adjacent to W J Sheet), and 13ft 8 inches for the rear of Lot 2B (adjacent to the drainage pond).

Applicant Information

Owner of Record:

Name: 200 North 13th LLC

Address: 320 Roebing St. #125

City/State/Zip: Brooklyn, NY 11211

Applicant:

Name: Levi Gross

Address: 320 Roebing St. #125

City/State/Zip: Brooklyn, NY 11211

Property Description

Harnett County Tax PIN: 0597-54-8405

Address: 200 North 13th St. Erwin, NC 28339

Acres: 29.44 acres

Zoning District: M-1

Vicinity Map

- See Attached Document
- See Attached Proposed Subdivision

Physical Characteristics

Site Description: The total size of the parcel that is to be subdivided is 29.44 acres. If the proposed subdivision were to be approved it would then further subdivide the parcel into 2 tracks with the lot being labeled as 2A comprising 19.96 acres and the lot labeled as 2B comprising 10.42 acres. The most recent subdivision of the property took place in August of 2023 when 0ft setbacks were established for the rear of the property due to a tunnel

running across both properties. Lot 2A contains 2 large buildings with parking, while lot 2B contains side-by-side individual units with another parking area.

The parcel does not contain wetlands or watersheds and is not within a flood zone.

Surrounding Land Uses: This parcel is accessible off of N13th St, West J St, and Chief Joseph Ln/ South 14th St. The surrounding land uses are residential to the North and East of lot 2A which are zoned as under RMV and DMV. Other uses are residential to the south of the parking lot of 2B zoned RMV, along with the South of the property abutting Chief Johnson as well as East of 2B being Central Business containing both municipal facilities and business.

Services Available

- HRW for water and septic
- Duke for electricity/power
- Erwin Police & Fire

Findings of Fact

200 North 13th LLC has submitted a variance request of the amount of 5ft 9inches for the side setback of lot 2B (adjacent to Chief Joseph Lane), 25ft for the side setback of lot 2A (adjacent to W J Sheet), and 13ft 8inches for the rear of Lot 2B (adjacent to the drainage pond). The purpose of this additional subdivision would allow for the current owners of the mill to reduce the cost of insurance on the properties due to the different planned uses for each of the areas. The previous subdivision that took place in August of 2023 was due to a similar reason to reduce the cost of insurance required. Due to the nature of the mill and being that it was constructed before the Town of Erwin's incorporation, it is considered to be a true hardship and the further subdivision be approved.

Staff Evaluation

Staff Evaluation

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. **Yes**
 - **Reasoning:** The property was created before The Town of Erwin was incorporated, therefore it did not have to conform to any setback regulations at the time it was constructed.
2. Granting the variance requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located. **Yes**
 - **Reasoning:** The variance is solely for setbacks that are unable to be met due to the property being constructed before Erwin Ordances was adopted and Erwin's incorporation.

3. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located. **Yes**
 - **Reasoning:** Enforcing the setback regulations would deprive the owners of further subdividing the property to save on expenses of their ownership.
4. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. **Yes**
 - **Reasoning:** There is no evidence as to why further subdivision is injurious to the neighborhood or the general welfare.
5. The special circumstances are not the result of the actions of the applicant. **Yes**
 - **Reasoning:** The property was constructed before Erwin's zoning ordinances therefore did not have to be created based on Erwin's setback standards.
6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structures. **Yes**
 - **Reasoning:** The applicant's request is the minimum that would make it able to the subdivision feasible.

Statement of Consistency

Due to all of the statements of reasonableness being found in the affirmative and all characteristics of a hardship being met and compatible with the Town of Erwin's Code of Ordinances said subdivision for the property located at 200 N 13th St. be approved.

200 NORTH 13 LLC

320 ROEBLING ST STE 125 BROOKLYN, NY 11211-6262

RIVERA DAVID NOE LEON

201 SUNCREEK DR BENSON, NC 27504-8151

ANDREWS MICHAEL W

301 S 15TH STREET ERWIN, NC 28339-0000

MCNEILL BATTISTA A

207 W F ST ERWIN, NC 28339

RAY MELISSA B

205 WEST F STREET ERWIN, NC 28339

**JACKSON MICHAEL R & JACKSON
NANCY S**

309 ST MATTHEWS ROAD ERWIN, NC 28339-0000

**DAY PAULA MAYNOR & DAY JONATHAN
SCOTT**

73 VICTORY CIR WILLOW SPRING, NC 27592-7684

NORRIS ROBERT GLYNN & NORRIS ROCHELLE OQUINN
PO BOX 762 ERWIN, NC 28339

ERWIN FIRE STATION

200 S 13TH ST ERWIN, NC 28339-0000

ADAMS BRENTON D

PO BOX 1389 DUNN, NC 28335-1389

STALL JEFFREY R

391 Crawford Rd Coats, NC 27521-9407

BUTLER TRISTEN COLT

989 BAILEY RD COATS, NC 27521-9307

WOODS INVESTMENT ENTERPRISE LLC

101 S 13TH ST ERWIN, NC 28339-1703

TOMA NARGIS S & TOMA KAMAL S

6940 DARCY LN RALEIGH, NC 27606-9024

CURR-WELL DEVELOPMENTS LLC

21 LITTLE FARM CIR ANGIER, NC 27501-9404

PORTILLO OLGA

103 N 13TH ST ERWIN, NC 28339-1722

**GONZALEZ ALFONSO APOLINAR & LUNA
ERNESTINA SORIANO**

140 MERCHANT DR #29 ANGIER, NC 27501-7572

HERNANDEZ REFUGIO D

107 N 13TH ST ERWIN, NC 28339-1722

MCLAMB STACY & MCLAMB BARBARA

101 E I ST C/O T & S ENTERPRISES ERWIN, NC
28339-1813

MCLAMB STACEY & MCLAMB BARBARA

101 EAST I ST ERWIN, NC 28339-0000

CLARENCE MASON GROUP LLC
8013 MATINVESTI ST RALEIGH, NC 27616-8497

SOUTHERN VISION PROPERTIES LLC
124 ARIEL ST LILLINGTON, NC 27546-6154

**BAREFOOT GLORIA B & BAREFOOT
JIMMY WAYNE**
101 EAST J. STREET ERWIN, NC 28339-0000

**CHEYENNE ENTERPRISES LLC & C/O
DANIEL WALL**
PO BOX 745 WILLOW SPRING, NC 27592-0745

**WADE JEAN PAGE & C/O NICHOLAS
SKATELL**
1565 CHICORA RD DUNN, NC 28334-0000

ELLER RENTAL PROPERTIES LLC
PO BOX 2228 LILLINGTON, NC 27546

BRYANT TARA GABRIELLE
104 WEST J STREET ERWIN, NC 28339

**MC GEE MELODY H & MC GEE ROY
THOMAS JR**
PO BOX 56 BUIES CREEK, NC 27506

LEE ROBERT E
PO BOX 41 DUNN, NC 28335

HUCK LILLIAN R & HUCK LAURIE
110 W J ST ERWIN, NC 28339-1424

NCLEAN TAMEKA CHERIE
200 W J ST ERWIN, NC 28339-1426

MCLEOD PROPERTIES RENTALS LLC
19256 NC 210 N ANGIER, NC 27501

**BONTEMPS FREDRICK & BONTEMPS
JENNIFER**
5104 HIGHCROFT DR CARY, NC 27519-8815

MY HOMES LLC
202 WINTERLOCHEN DR DUNN, NC 28334-8908



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Phone: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

7/15/2024

Notice of a Public Hearing BOA-2024-003

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 1st, 2024 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed subdivision variance for the side setbacks and the rear setback of the parcel.

The requested variance is the following parcel:

- HC Tax Pin: 0597-54-8405/ 200 N 13th St Erwin, NC 28339

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org

Regards,

Dylan Eure
Town Planner

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will hold a Public Hearing on the following items pursuant to NC General Statute 160D-406, on Thursday, August 1st, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339.

- Case BOA 2024-003: This is a proposed subdivision variance for the side and rear setbacks of the parcel. The parcel can be identified by HC Tax Pin: 0597-54-8405/ 200 N 13th St Erwin, NC 28339.
- Proposed text amendment to Chapter 36 entitled Zoning under Article VI-A entitled Residential Mill Village within Section 36-155.
- Proposed demolition of a residence: 601 Lucas Rd- Tax PIN# 1506-49-7328.000

Questions concerning these cases can be addressed to Town Hall at 910-897-5140.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the abovementioned time and place.
7/16,23/2024

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: Demolition of 601 Lucas Road

Town Staff is asking the Board to consider adopting an ordinance to demolish the structure at 601 Lucas Road. The Town has gone through the entire minimum housing process with this home, and there have been no improvements made whatsoever.



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

August 15, 2023

William Hall Jr
Betty Hall
601 Lucas Rd
Dunn, NC 28334

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Dear, Mr. & Mrs. Hall,

It has come the attention of Town Hall that the property at 601 Lucas Rd with associated Tax PIN# 1506-49-7328.000 appears to be in violation of the Town of Erwin's minimum housing ordinance. A report has been received indicating the conditions of this property are in violation of the Housing Code.

Therefore, as prescribed in the Code of Ordinance, an inspection of the property is scheduled for **10 AM on Monday September 4, 2023**. It will be necessary for you, your agent and/or tenant to be present at the structure to provide access for the inspection. The inspection will be conducted in accordance with Section 6-30 of the Town Minimum Housing Code. I am authorized to obtain a warrant to conduct an inspection.

Upon completion of the inspection, a hearing will be scheduled within 30 days of the purpose of finding the facts as to whether or no the condition of this property is in violation of the Minimum Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant or material to the questions sought to be determined or the remedies to be effected. For any further questions, feel free to contact Erwin Town Hall.

Christopher Jones,
Code Enforcement Officer

Phone: 910-591-4204
Email: cpjones@erwin-nc.org



TOWN OF ERWIN

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Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

COMPLAINT AND NOTICE OF HEARING BEFORE THE HOUSING INSPECTOR UNDER MINIMUM HOUSING CODE

FILE HC-177-23

TO: Joann Hall and interested parties in regards to the property at 601 Lucas Rd, Dunn, NC 28334 (Tax PIN# 1506-49-7328.000), in the Town of Erwin.

YOU ARE HEREBY NOTIFIED that the dwelling unit and/or lot located at the address designated above is in a condition that appears to be unfit for human habitation and is in violation the Town of Erwin Minimum Housing Code.

YOU ARE FURTHER NOTIFIED that a hearing will be held before the Housing Inspector of the Town of Erwin at Town Hall, 100 West F St, Erwin, NC 28339. This hearing will be conducted at **10 AM, September 27, 2023** for the purpose of finding the facts as to whether the condition of the property falls within the scope of the above-mentioned section of the Town Code of Ordinance. At the hearing, you shall be entitled to offer such evidence relevant to the questions sought to be determined or the remedies to be affected. This hearing may be conducted by phone should you be unable to attend in person.

YOU ARE FURTHER NOTIFIED that if, upon such hearing, the Housing Inspector shall find the conditions of the property do in fact violate the Housing Code and render the dwelling unfit for human habitation, the Housing Inspector will issue an order in writing requiring the owner of the property to remedy these conditions.

Further information may be obtained by contacting the undersigned at 910-591-4204

This the 14th day of September, 2023

Christopher Jones
Code Enforcement officer



TOWN OF ERWIN

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www.erwin-nc.org

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

FINDING OF FACTS AND ORDER

File No. HC-177-23

To: Joann Hall and interested parties in regards to the property at 601 Lucas Rd, Dunn, NC 28334 (Tax PIN# 1506-49-7328.000), in the Town of Erwin.

The undersigned Code Administrator of the Town of Erwin pursuant to law conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above named owners and parties in interest or their agents or attorneys. At the hearing, the Answer, if any, files by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered, along with the other evidence offered at this hearing.

Upon the record and all of the evidence offered and contentions made, the undersigned Code Administrator does hereby find the following facts:

1. The above named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the premises located at the above address is unfit for human habitation and in violation of the Town Minimum Housing Code, and the particulars thereof, and fixed a time and place for a hearing upon the Complaint as provided by law. At the hearing, the following owners, persons in interest or their agents or attorneys, were present and participated therein: **Betty Joann Hall by phone at her request due to lack of transportation.**
2. The premises described above violate the Town Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure.

3. Due to these conditions, the building and/or premises described above is found to be in condition within the meaning of the Town Minimum Housing Code, so as to be unfit for human habitation;

IT IS THEREFORE ORDERED that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by

repairing, altering, improving or vacating and closing the deteriorated structure;
 repairing, altering, improving or vacating and demolishing the dilapidated structure;
 cleaning up the premises

By a date **not later than the 29th day of December, 2023**

This the 27th day of September, 2023

Christopher Jones
Code Enforcement Officer



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

June 28, 2024

William Hall Jr
Betty Hall
601 Lucas Rd
Dunn, NC 28334

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Re: Citation No.: HC-177-23
Property Address: 601 Lucas Rd
Property Tax PIN: 1506-49-7328.000
Property ID: 061507-0390

On September 27, 2023 a Findings of Fact and order was issued which required you to repair alter, improve or demolish the deteriorated structure by a date not later than December 29th, 2023.

The deadline has passed and therefore is it time to conduct a follow-up inspection to determine of the dwelling has been brought into compliance with the Town Minimum Housing Code.

I will return to conduct a follow-up inspection on **July 11th, 2024 at 9 A.M.** Please arrange to meet me at that time or have someone provide access for the inspection. If you have any questions, please feel free to contact me at Town Hall.

Christopher Jones
Code Enforcement Officer

Phone: 910-591-4204
Email: cpjones@erwin-nc.org



TOWN OF ERWIN

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7/8/2024

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Notice of a Public Hearing

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 1st, 2024 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to discuss the demolition of a residence.

The proposed demolition is for the following parcel:

- 601 Lucas Rd – Tax PIN# 1506-49-7328.000

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Code Enforcement Officer Christopher Jones at 910-591-4204 or by email at cpjones@erwin-nc.org

Regards,

Christopher Jones,
Code Enforcement Officer







NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will hold a Public Hearing on the following items pursuant to NC General Statute 160D-406, on Thursday, August 1st, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339.

- Case BOA 2024-003: This is a proposed subdivision variance for the side and rear setbacks of the parcel. The parcel can be identified by HC Tax Pin: 0597-54-8405/ 200 N 13th St Erwin, NC 28339.
- Proposed text amendment to Chapter 36 entitled Zoning under Article VI-A entitled Residential Mill Village within Section 36-155.
- Proposed demolition of a residence: 601 Lucas Rd- Tax PIN# 1506-49-7328.000

Questions concerning these cases can be addressed to Town Hall at 910-897-5140.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the abovementioned time and place.
7/16,23/2024



TOWN OF ERWIN

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Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

**AN ORDINANCE DIRECTING THE TOWN MANAGER TO
REMOVE OR DEMOLISH THE PROPERTY HEREIN
DESCRIBED AS UNFIT FOR HUMAN HABITATION AND
DIRECTING THAT A NOTICE BE PLACED THEREON THAT
THE SAME MAY NOT BE OCCUPIED**

2024-2025: 001

WHEREAS, the Town Commissioners of the Town of Erwin find that the structure described herein is unfit for human habitation under the NC State Building Code and NC General Statute 106D-1118 and that all of the procedures associated with said actions have been complied with; and

WHEREAS, this dwelling should be removed or demolished as directed by the Town Manager and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of this structure has been given a reasonable opportunity to demolish the structure in accordance with NCGS 160D-1121 pursuant to an order issued by the Building Code Administrator on September 27, 2023, and the owner has failed to comply with the Order;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Erwin, that:

Section 1. The owner of such building(s), dwelling(s) and premises was hereby ordered to vacate any occupants and/or personal property therein on or before May 13, 2024.

Section 2. The Code Administrator is hereby authorized and directed to place placards containing the legend:

"This building is unfit for human habitation. The use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address:

601 Lucas Rd, Dunn, NC 28334 (Tax PIN# 1506-49-7328.000)

Section 3. The Town Manager is hereby authorized and directed to proceed to remove or demolish the above-described structure in accordance with the order to the owner with a deadline of the 29th day of December 2023, in accordance with NCGS 160D-1125;


Section 4. (a) The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 11 of NCGS Chapter 160D;

(b) Upon completion of the required removal or demolition, the Town Manager shall sell the materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Town Manager shall certify the remaining balance to the Tax collector. If a surplus remains after the sale of the materials and satisfaction of the cost of removal or demolition, the Town Manager shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160D-1125;

Section 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

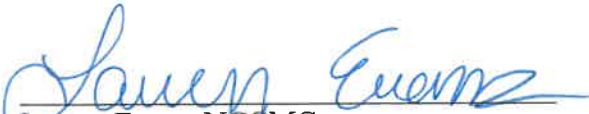
Section 6. This Ordinance shall become effective upon its adoption.

ADOPTED this 1st day of August, 2024.



Randy L. Baker
Mayor

ATTEST:



Lauren Evans, NCCMC
Town Clerk

MINUTES CONTINUED FROM AUGUST 1, 2024

NEW BUSINESS

SRP-S-134-0117 Resolution

Town Manager Snow Bowden stated that the Town was awarded a Stormwater Management Grant and we were waiting for the letter of intent to fund for some time. He asked the Board to adopt a Resolution authorizing him to sign the contract by the State for this stormwater grant.

Commissioner Blackmon made a motion to approve the Resolution by the Erwin Board of Commissioners for Stormwater Project SRP-S-134-0117 2024-2025—002 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

PUBLIC COMMENT

Mayor Baker stated each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers.

Judy McLean of 307 West A Street came forward and addressed the Board. She stated that she loved this Town. She expressed her concern with people not taking care of their property. She was not speaking on grass. Some houses in Town look like they need to be burnt down. She asked the Board to consider giving the bad houses in Town to the Fire Department for training. People are hiding trash behind their houses and rats are all over Town. She asked the Town to do something and address the issues.

Betty Bells came forward and stated she was present to speak on the housekeeping in Erwin. She stated porches around Town were a disgrace and trees were growing onto houses. There were 3-4 houses in Erwin that needed to be destroyed.

Seman Bells came forward and stated he had lived in Erwin for 87 years and had never seen Erwin look so bad. He asked the Town to do something.

MANAGER'S REPORT

Town Manager Snow Bowden provided the Board with a detailed report at their seats. He stated if they had any questions to give him a call.

The Manager's Report is part of these minutes as an attachment.

ATTORNEY'S REPORT

Town Attorney Tim Morris thanked the Board for allowing him to be their Town Attorney.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 1, 2024

Subject: Letter of Intent to Fund and Funding Offer for Stormwater Project SRP-S-134-0117

The Town of Erwin received the letter of intent to fund (LOIF) from the State of North Carolina today (8/1/2024). We have already approved a grant project ordinance for this project. We have been waiting on the LOIF to move forward with releasing a request for qualifications (RFQ). We plan to issue an RFQ to find a firm to hire to assist the Town of Erwin to develop a storm water management plan. Once we get this plan in place we should be able to address some of the storm water problems in Town. By having this plan in place we should be able to apply for other grant funds as well. I cannot guarantee we can get other grants but we have a better chance at them with this plan in place.

In order to move forward with this grant the Town of Erwin needs to submit a resolution that is adopted by the Town Board. I am asking for this resolution to be approved tonight so we can submit it to the State of North Carolina tomorrow. I am also asking for the Town Board to authorize me to sign the financial agreement for this grant of \$492,500. At our August workshop meeting we will most likely need to approve opening a separate bank account for these grant funds and anything else we learn in between now and on Monday, August 26th. We need to make some minor adjustments to the grant project ordinance once we are ready to move forward with the project.

ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
SHADI ESKAF
Director



NORTH CAROLINA
Environmental Quality

July 31, 2024

Snow Bowden, Town Manager
Town of Erwin
P.O. Box 459
Erwin, NC 28339

Subject: Letter of Intent to Fund
S.L. 2023-134 Appropriations Act Directed Project
Town of Erwin Stormwater Management Plan
DWI Project No.: SRP-S-134-0117

Dear Mr. Bowden:

The Division of Water Infrastructure (Division) has received your *Request for Funding* for the aforementioned project for up to \$492,500 from the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). Projects funded from the State Reserve must meet applicable State laws and guidance for expenditure of these funds. The following table shows total S.L. 2023-134 appropriations for your local government excluding the Department’s administrative fee as amended in S.L. 2024-1, awarded projects and their funding amounts identified to date, and any remaining unobligated appropriations at the time of this letter.

S.L. 2023-134 Appropriations Act Approved Projects

S.L. 2023-134 Approved Projects for S.L. 2023-134 Section 12.2.(e) Line # 60 Appropriation		
Appropriated Funds Available for Projects (excluding administrative costs)		\$492,500
Project Name	Project Number	Maximum Funding Amount
Town of Erwin Stormwater Management Plan	SRP-S-134-0117	\$492,500
Total Appropriations requested		\$492,500
Total Appropriations remaining		\$0



Snow Bowden, Town Manager
Town of Erwin
July 31, 2024
Page 2 of 3

The first milestone for this project is the submittal of a bid-and-design package by **August 1, 2025**. Please note that this intent to fund is contingent on meeting all the following milestones:

Milestone	Milestone Date*
Apply for all Necessary Permits**	ASAP
Bid-and-Design/Permit Package Submittal	August 1, 2025
Bid-and-Design Package Approval	December 1, 2025
Advertise Project, Receive Bids, Submit Bid Information, and Receive Authority to Award	April 1, 2026
Execute Construction Contract(s)	June 1, 2026

* Milestone dates only apply to the S.L. 2023-134 portion of funding.

**An engineering alternatives analysis (EAA) may be required on certain projects. See: <https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/npdes-wastewater/permitting-process>

The Division will consider milestone timeline modification including extensions provided that appropriate justification for granting extension is provided.

Environmental Review Requirements

The State Environmental Policy Act exempts projects funded by the State Reserve (such as this project) from state-mandated environmental review. Federal requirements may still apply. [North Carolina General Statute (NC G.S.) 113A-12.(2).(h)]

Permitting

The NC Department of Environmental Quality (DEQ) is committed to providing efficient permit processing for your S.L. 2023-134 project(s). To better serve you, we would appreciate your assistance in telling us the type of DEQ permit(s) you will need and the timeframe of permit application(s) submittal. Please complete the online form at the following link:

<https://app.smartsheet.com/b/form/bb0d7d19b4024a548b8d1c97cdad0cd8>.

When applying for a permit(s), attach a copy of this letter to your permit application(s) and denote your DWI assigned project number on the permit application if asked. If you do not know the type of permit(s) your project may require, we offer a free permit assistance service to address any questions you may have about potential permitting requirements, pitfalls, fees, and timelines. If interested, please complete our online form at <https://deq.nc.gov/permits-rules/permit-assistance-and-guidance/permit-assistance-request-form>.

Snow Bowden, Town Manager
Town of Erwin
July 31, 2024
Page 3 of 3

Disbursement of Funds:

These funds will be disbursed to the local government unit after relevant costs are incurred by the local government and invoices are submitted to the Division. Up to 15% of the funds available for the project may be disbursed after costs are incurred during the pre-construction stage to cover design and planning costs. The remainder will be disbursed as invoices for incurred pre-construction and construction costs are submitted by the local government during construction, which may be submitted prior to or after paying the contractors for the incurred costs. Only costs eligible under NC G.S. 159G may be covered by these funds. Projects must be administered in accordance with all applicable federal law and guidance, as well as North Carolina statutes.

Electronic Document Submittal:

Recipients should submit all project documents via the supporting documentation submittal form located at <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. The use of this form provides more seamless document tracking, processing, filing, accessibility, and security via our electronic document repository, Laserfiche. The link and a list of frequently asked questions can also be accessed from the Division's I Have Funding page, <https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding>.

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding. If you have any questions concerning this matter or require general assistance, please contact the Division's project manager assigned to your project: Antonio V. Evans, P.E., either by telephone at 919.707.9168 or by e-mail at tony.evans@deq.nc.gov.

Sincerely,

DocuSigned by:

Kavitha Ambikadevi

754F0455F457405...

Signed on
behalf of:

Shadi Eskaf, Director
Division of Water Infrastructure

cc: Snow Bowden, Town Manager, Town of Erwin (townmanager@erwin-nc.org)
William W. Dreitzler, P.E., DM2 Engineering, PLLC (bdreitzler@dm2engineering.com)
Antonio V. Evans, P.E. (DWI, via DocuSign)
Mark Hubbard, P.E. (DWI, via DocuSign)
Administrative Unit (DWI, via DocuSign)
LF Project File (COM – LOIF)
DWI Agreement ID: 2000076229

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director



NORTH CAROLINA
Environmental Quality

July 31, 2024

Snow Bowden, Town Manager
Town of Erwin
P.O. Box 459
Erwin, NC 28339

SUBJECT: Funding Offer
Project No. SRP-S-134-0117
Town of Erwin Stormwater Management
Plan

Dear Mr. Bowden:

The Town of Erwin has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions attached to this document.

Upon your acceptance, please submit the following items to the Division, via email at DEQ.DWI.FundingOffer@deq.nc.gov:

1. One (1) copy of the original Offer and Acceptance Document executed by the Authorized Representative for the project, along with the Conditions and Assurances. **Retain the other copy for your files.**
2. A resolution adopted by the governing body accepting the funding offer and making the applicable Conditions and Assurances contained therein. (Sample copy attached)
3. Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)
4. Sales-Tax Certification (attached)

The Site Certification and a Capital Project Ordinance (or budget ordinance covering the project) are due before disbursements begin.

Disbursement requests are to be submitted via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

On behalf of the Department of Environmental Quality, I am pleased to make this funding offer. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact David Smith at david.smith@deq.nc.gov or (919) 707-3885.

Sincerely,

DocuSigned by:

Kavitha ambikadevi

754F0455F457405...

signed on
behalf of:

Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: Offer and Acceptance Document
Assurances & Conditions
Federal ID and UEID Number Request Memo
Resolution to Accept Funding Offer (suggested format)
Sales-Tax Certification Form
Disbursement Request Form
Guidance Document (North Carolina Wastewater Funding Programs Overview)
Site Certification
Capital Project Ordinance (Sample)

cc: Snow Bowden, Town Manager, Town of Erwin (townmanager@erwin-nc.org)
William W. Dreitzler, P.E., DM2 Engineering, PLLC
(bdreitzler@dm2engineering.com)
Mark Hubbard (Via DocuSign)
David Smith (Via DocuSign)
DWI Administrative Unit (Via DocuSign)
Carrie Shortt (Via DocuSign)
Teresa Tripp (Via DocuSign)
DEQ.DWI.FundingOffer@deq.nc.gov
FILE: SRP-134 Project File (COM_LOX)
Agreement ID#: 2000076229



**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Erwin
P.O. Box 459
Erwin, NC 28339

Project Number(s): SRP-S-134-0117

Assistance Listing Number: N/A
Unique Entity ID Number: QRKVVH53C5K9

Funding Program

	<input type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Drinking Water	<input type="checkbox"/>			
Stormwater	<input checked="" type="checkbox"/>			
Wastewater	<input type="checkbox"/>			
State Revolving Fund-Repayable Loan	<input type="checkbox"/>			
State Revolving Fund-Principal Forgiveness	<input type="checkbox"/>			
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)*	<input checked="" type="checkbox"/>			\$492,500
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

Project Description:

Town of Erwin Stormwater Management Plan

Total Financial Assistance Offer: **\$492,500**
Total Project Cost: \$492,500
Estimated Closing Fee:** \$ 0
For Loans
Interest Rate: -- Per Annum
Maximum Loan Term: -- Years

* Federal conditions and requirements will also apply to S.L. 2023-134 projects co-funded with federal funds.
 ** Estimated closing fee calculated based on grant and loan amount.

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document. Signed on behalf of:

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by: <i>Kavitha ambikadevi</i>	7/31/2024
----- 764F0455F467405... Signature	----- Date

On Behalf of: Town of Erwin
 Name of Representative in Resolution: _____
 Title (Type or Print): _____

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

<i>Joe Bond</i>	8/11/2024
----- Signature	----- Date



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

RESOLUTION BY ERWIN BOARD OF COMMISSIONERS FOR STORMWATER PROJECT SRP-S-134-0117 2024-2025---002

WHEREAS, the Town of Erwin has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of \$492,500 to perform work detailed in the submitted application, and

WHEREAS, the Town of Erwin intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF ERWIN:

That the Town of Erwin does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of \$492,500.

That the Town of Erwin does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Town Manager Snow Bowden and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this 1st Day of August 2024 in Erwin, NC.

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk

MINUTES CONTINUED FROM AUGUST 1, 2024

CLOSED SESSION

Commissioner Blackmon made a motion to go into Closed Session Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege at 7:51 PM and was seconded by Commissioner Byrd. **The Board voted unanimously.**

RECONVENED

Commissioner McKoy made a motion to go back to regular session at 8:00 PM and was seconded by Commissioner Byrd. **The Board voted unanimously.**

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 8:01 P.M. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

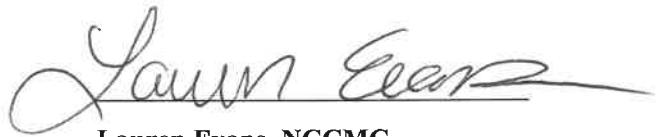
LAUREN EVANS TOWN CLERK



Randy Baker

Mayor

ATTEST:



Lauren Evans, NCCMC

Town Clerk