

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING MINUTES

JULY 27, 2020

A scheduled meeting of the Board of Commissioners was held on Monday, July 27, at 6:00 p.m. in the Council Chamber, 103 N. Main Street, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Lynne Green, Janet Harrington, Teresa Kelly and Jim Paschal. Also, Town Manager Eddie Thomas, Town Counsel Jimmy Love, and Town Clerk Laura Duval were present.

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

Mayor Andrews recognized Police Chief Todd Hinnant and the Broadway Police Department. The Mayor expressed his appreciation to the officers for all they do. Mayor Andrews acknowledged being a police officer is a tough job, and he thanked them for their service to our citizens. Chief Hinnant, Sgt. Rich Barefield, Officer Michael Nelson, and Officer Evan Gunter addressed the Town Board and shared information about themselves. The Chief shared recent calls each officer responded to and resolved.

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

Consent Agenda – Approval of June 22 Board Meeting Minutes and the June Financial Statement. Commissioner Harrington made the motion to accept the Consent Agenda as submitted. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Town Manager Thomas reviewed a proposal for an increase in water and sewer tap on fees. He would like to ensure that the Town is covered for the cost of a bore on a DOT road. Mr. Thomas proposed an increase in rates because the Town is a little in the red on these particular fees. He reviewed the contractor's charges last fiscal year and found that the cost for regular bores are approximately \$500. The Town has been charging \$50 for a meter set fee, but the cost of materials is now \$570.02. Total cost of a water tap and meter set is \$1,570.02 plus tax, making a total of \$1,679.92. The current charge to citizens for both water and sewer taps is \$1,250.00. After checking with other municipalities about their fees and speaking to Craig Buchanan about costs, the Town Manager recommended a flat rate of \$2,000 for water and sewer taps. That would give the Town a window of \$150 to \$200. In the event only a water tap and meter set is required, the cost will be \$1,500. If only a sewer tap is needed, the cost is \$500. He also recommended the following disclaimer: Any boring which requires pavement

repair or request for a larger size service will be at cost and the responsibility of the customer to pay the expense. The customer must pay all fees and expenses prior to the taps being done. Mayor Pro Tem Beal made the motion to accept the recommendation for an increase in water and sewer taps to a total of \$2,000. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Mayor Andrews discussed code enforcement options. The City of Sanford is at capacity and is unable to help us. The County does not have any code enforcement issues, so they are unable to help provide funding. The Mayor contacted Dennis Pinnix, of State Code Enforcement, Inc., that helps small towns with ordinance violations. They specialize in code enforcement and have a good reputation. The City has used them for assistance. State Code Enforcement, Inc. currently assists Siler City 40 hours per week and Green Level 12 hours per week. They work the number of hours that the municipality requests. Mr. Pinnix charges \$49 per hour. Broadway can handle junk car and weed cutting violations, but minimum housing standards are a concern. Two inquiries were sent to the City last week. One involved a violation of minimum housing standards in a mobile home park, and the other pertained to a vacant house. The Town Board needs to decide how to proceed.

Mayor Andrews expressed that we can't handle minimum housing standards in house. We need professional help with those violations. There must be a paper trail of documentation on code violations. If a lawsuit entails, some law firms charge \$300-\$400 per hour or \$20,000 - \$30,000 per case. There is also a violation of permitted home occupations on East Harrington. No formal complaints have been made yet. The Town Board agreed that issue cannot be addressed until formal complaints are received. The Town Board agreed letters should be sent to those in violation of minimum housing standards or permitted home occupations. The letters would explain the city code violation and ask the property owner to resolve it. If the request to resolve these issues produces no results, then use the code enforcement company. State Code Enforcement does the paperwork and documentation. An attorney would take over if the issue goes to court and advise the Town how to proceed.

Town Manager Thomas presented two proposals for sealing cracks on Cats and Fiddler Drives. The crown and valleys of the asphalt is not holding up, and the Town is not in a position to resurface these two streets. We are two-three years away from paving. Sanford Striping and Sealing submitted a quote of \$3,800, and Gaither Dycus Hauling and Landscaping submitted a quote of \$3,400. This project is Powell Fund eligible. The Town Board agreed to use Gaither Dycus for sealing cracks on Cats and Fiddler Drives.

Mayor Andrews and Town Manager Thomas met with the Sanford City Manager and Public Works Director regarding sewer expansion. The process really needs to start now. Currently, the WWTP is at 60% capacity. Growth is coming, so we need to be prepared to handle that. There are four options the Town can pursue: 1) do nothing and the Town cannot handle any growth, 2) expand the plant, which is a challenge with the state, 3) the City will entertain the idea of the Town sending wastewater to them, or 4) sell our system to the City, and they will take over the WWTP.

Mr. Andrews and Mr. Thomas met with representatives from Withers-Ravenel. The City recommended this meeting. Withers-Ravenel feels the Town can get a grant for a feasibility study. They are willing to pursue a \$50,000 water and \$50,000 sewer grant at no cost to the Town. The deadline for the grant is September. The Town will have a feasibility study done once the grant is awarded. Mayor Pro Tem Beal made the motion to move forward and enlist the services of Withers-Ravenel for the water and sewer grants. The motion was seconded by Commissioner Green. Motion carried unanimously.

Manager's Report - Town Manager Thomas shared that he and Chief Hinnant attended a Black the Blue event sponsored by Charles Taylor and Dusty Phillips. He thought it was a very nice event that included retired law enforcement personnel, as well as, those currently serving.

Town Manager Thomas advised that the letter for the payment option plan has been revised with correct dates. He read the updated plan to the Town Board. Mr. Thomas plans to call each customer with an account in arrears and set up an appointment to discuss the payment option plan. If he cannot reach them by phone, he will send a letter. Customers who do not respond to the letter will then be sent a certified letter. Mr. Thomas will make every effort possible to contact delinquent account holders to explain the payment plan in full detail. The Town Board concurred with the agreement.

Commissioner Comments – Commissioner Paschal mentioned he saw marking flags in the field where East Park may be developed. The developer was mowing the grass in that parcel on Sunday. Mayor Andrews advised a community meeting will be held at the Community Building on August 11 at 6:00 and 7:00 p.m. In order to follow social distancing guidelines, the community building can accommodate only 29 people. Face masks will also be required. The thirty-five adjoining property owners to the parcel will be notified of the meeting and given an appointment time. Amy McNeill with Community Development will run the meeting. A Public Hearing will be held at a later date. Mayor Andrews contacted the school about renting Broadway Elementary auditorium for the Public Hearing. The school hasn't responded yet.

Commissioner Green commended Dusty Phillips and Charles Taylor for showing support to local law enforcement. She believes Back the Blue was a great event.

Mayor Pro Tem Beal inquired about paving the walking trail. Mayor Andrews advised Patterson Paving gave an estimate of \$24,000 to pave the trail, and it can be re-graveled for \$8,000. Mr. Beal voiced concern about abandoned cars beside Garland Smith's house. He also expressed concerns about privacy fences and feels regulations should be put in place. A property owner should find their property line before erecting a fence to ensure it's on their own property. Mayor Andrews advised there are no fence regulations in the UDO. Most communities suggest a fence be placed six inches inside the property line. Counsel Love stated the Town cannot regulate where a fence is put on a person's property. If a property owner makes a mistake by placing it over the line, it must be proven intentional in order to charge adverse possession. The Mayor Pro Tem suggested fence recommendations be posted on the Town website.

Commissioner Harrington mentioned Charles Taylor and Dusty Phillips did an excellent job of putting together Back the Blue in a short length of time. She also mentioned that a homeowner continues to put their bulk trash across the street instead of on their own property. Mayor Andrews stated education is ongoing about bulk trash and debris pick up. Debris should not be placed on the road.

Commissioner Kelly asked about the status of the port-a-john at the Town Park. Mayor Andrews received a price of \$95 per month. Several people neighboring the lake expressed concerns about COVID. The port-a-john will be emptied once a week but not sanitized. There is too much activity at the lake at night. Mayor Andrews has yet to see the laundromat owner to talk with him.

Mayor Comments – Mayor Andrews reported sales tax revenue is down 8-10% each month compared to prior year.

At the interlocal meeting the Mayor requested Broadway have a testing site for COVID-19 at the school. He has received no response yet.

Approximately, 150 recycling survey postcards have been returned. They will be accepted through the month of August.

Ken Bright is putting together bid packets for re-surfacing Crystal and Colonial Drives.

Mayor Andrews mentioned there will be a crowd at the Public Hearing on the potential development. Before counting the public, 23 people plan to be in attendance. The hearing will be held separate from the regular Town Board meeting.

The 2020 census is still going on. Remind citizens to participate. The census has an impact on federal and state money given to the Town.

The Mayor advised there is a need for street design specifications for right of way consistency. He received an inquiry about 42 lots that may be developed just outside of Town. The property owner may request annexation. Mayor Andrews gave him the requirements needed for development. There are 100 acres on Vernon Street that may also be developed. This property is right outside the Town Limits, as well.

Rockslide USA is in operation now. A dozen people are working there.

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

Donald F. Andrews
Mayor

Laura K. Duval, Town Clerk