

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
DECEMBER 6, 2007
REGULAR MEETING
ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding, held its regular meeting in the Town Hall on Thursday, December 6, 2007 at 7:00 P. M. in Erwin, North Carolina.

Board members present were Commissioners Ricky Blackmon, Randy Baker, Mark Whitman and W. N. Porter. Incoming Commissioners Michael West and William Corbett were present.

Town Manager Alan Thornton, Town Clerk Pam Addison and Town Attorney Mac Hunter were present.

Commissioner Ennis was absent due to sickness in family and Commissioner Gurkin was absent due to a death in his family.

Mayor Patsy Carson called the meeting to order at 7:00 P. M.

Commissioner Baker gave the invocation.

Those present recited the Pledge of Allegiance.

AGENDA ADJUSTMENTS

Commissioner Baker made a motion to add New Business Item F. Consideration to Transport a Home in Erwin. Commissioner Whitman seconded the motion. The Board voted unanimously.

CONSENT ITEMS

Commissioner Blackmon made a motion to approve Item (A). Approval of Minutes for 11/01/07 Board of Commissioners Regular Meeting; Item (B). Approval of Minutes of 11/14/2007 Board of Commissioners Work Session; Item (C) Tax Releases; and Item (D) FY 07-08 Budget Amendment 07-02. Commissioner Baker seconded the motion. The Board voted unanimously.

(Pages 7210 A-C)

OLD BUSINESS

APPRECIATION FOR AND COMMENTS FROM DEPARTING MEMBERS OF THE BOARD

Town Manager Alan Thornton presented a plaque expressing gratitude to outgoing Board Members Ricky Blackmon and Brain Gurkin. Mr. Thornton said he appreciated the work they have done, and they certainly have seen Erwin through some tough times. Town Manager Alan Thornton said Commissioner Gurkin and Commissioner Blackmon leave Erwin in a much better position than when they were first put into office.

Commissioner Blackmon said it had been an honor to serve. Commissioner Blackmon thanked the citizens in Ward II in having confidence in him and allowing him to serve his community during the past 10 years. Commissioner Blackmon said he believes Erwin is back on the right

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track by making positive improvements in the community and this will continue to boost Erwin's economic development. Commissioner Blackmon also thanked his family for all the support they have given him.

INDUCTION CEREMONY OF NEW MEMBERS OF THE BOARD

Judge Resson Faircloth administered oaths for new incoming Commissioner Michael West and William Corbett. Judge Resson Faircloth administered the oath to reelected Commissioner Mark Whitman and Cynthia Patterson took the oath of new Deputy Town Clerk.

After a warm welcome was given to the new Board members; Commissioner Baker made a motion to recess for 15 minutes at 7:20 P. M. and was seconded by Commissioner Whitman. The Board voted unanimously.

Mayor Carson invited everyone to enjoy refreshments in the foyer while saying farewell to outgoing members; Commissioner Gurkin and Commissioner Blackmon and make welcome the two new members; Commissioner West and Commissioner Corbett.

Commissioner Baker made a motion to reconvene at 7:38 P.M. and was seconded by Commissioner West. The Board voted unanimously.

(Pages 7211 A-D)

MAYOR PROTEM AND COMMITTEE APPOINTMENTS

Mayor Carson read a letter from Commissioner Ennis expressing regrets for not being able to attend the Board Meeting. Commissioner Ennis extended her appreciation to the departing Board Members, Commissioner Ricky Blackmon and Commissioner Brian Gurkin. In the letter Commissioner Ennis welcomed new Board Members Commissioner Michael West and Commissioner William Corbett. Commissioner Ennis expressed her support to re-elect Commissioner Porter as Mayor Protem .

Commissioner Whitman made a motion to re-elect Commissioner W. N. Porter as Mayor Protem and seconded by Commissioner Baker. The Board voted unanimously.

Mark Whitman volunteered to be appointed to the Park and Recreation Advisory Board.

Commissioner Baker made a motion to appoint Mayor Patsy Carson to attend the quarterly meetings with the Board of Mid-Carolina Council of Government and was seconded by Commissioner Whitman. The Board voted unanimously.

PUBLIC HEARING**TOWN OF ERWIN ZONING AMENDMENT APPLICATION #Z07-03**

Commissioner Baker made a motion to open a Public Hearing at 7:45 for Town of Erwin Zoning Amendment # Z07-03 and was seconded by Commissioner Whitman. The Board voted unanimously.

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Bruce W. Williams, applicant submitted a zoning amendment application to rezone his property (Harnett County PIN # 1507-40-3525.000) located at 2403 Erwin Rd. from that of its current Town of Erwin Zoning classification of B-2 to that of R-6. The Erwin P & Z Board met on November 19, 2007 and submitted a favorable recommendation to the Board of Commissioners. All adjacent property owners were notified. The property was posted and a notice was printed in the local newspaper and placed on the bulletin board at Town Hall.

Mayor Carson requested that anyone wishing to speak in favor of Town of Erwin Zoning Amendment Application #Z07-03 to rezone 2403 Erwin Rd from B-2 to R-6 to come forward, state their name and address for the record prior to beginning presentation of statement.

William Elmore of Elmore Real Estate, 1001 West Divine Street, Dunn NC came forward and spoke on behalf of the property owners, Bruce and Mary Williams. Mr. Elmore stated the Williams lived the last 16 years at 2403 Erwin Rd. Mr. Elmore was hired by the Williams to sell the property. Several years ago a blanket annexation changed the zoning from R-6 to B-2. The Williams were unaware of how this would affect their property. For health reasons the Williams began seeking relief of debts by means of selling their home or refinancing. The Mortgage Company refused their request because of the B-2 Zoning. The property is surrounded by residential property.

Mayor Carson requested that anyone wishing to speak against Town of Erwin Zoning Amendment Application #Z07-03 to rezone 2403 Erwin Rd from B-2 to R-6 to come forward, state their name and address for the record prior to beginning presentation of statement.

No-one came forward.

Commissioner Baker made a motion to close the Public Hearing at 7:50 for Town of Erwin Zoning Amendment # Z07-03 and was seconded by Commissioner West. The Board voted unanimously.

NEW BUSINESS**CONSIDERATION OF TOWN OF ERWIN ZONING AMENDMENT APPLICATION
#Z07-03**

Commissioner Baker made a motion to accept the Zoning Amendment # Z07-03 to rezone 2403 Erwin Rd from B2 to R6 and was seconded by Commissioner Porter. The Board voted unanimously.

PRESENTATION OF THE FY 06-07 AUDIT REPORT

Joseph M. Giles, Jr. CPA presented the Town of Erwin's audit report. The 1st financial statement discussed was that of net assets. Governmental Activities fund had \$1,485,798 cash and cash equivalents. This is about \$52,000.00 less than we had last year in the governmental funds. The current assets are \$1,791,449 and this is about \$55,000 less than last year. The assets are remaining relatively stable. The Governmental Activities total liabilities are \$874,500. The Town has approximately \$6.00 of current assets for every dollar of current liabilities. This is a very healthy position for the Town. The Business-type Activities will be the Water & Sewer Fund. We have very few assets left in the Water &

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Sewer Fund since the sale of the utilities. The Town has \$ 6,520,822 in cash in the Water & Sewer Fund. The Water & Sewer fund has \$6,511,386 in unrestricted fund balance. This fund will be transferred to other activities since it is not needed to support the Utilities. The Town is in a position to be able to move forward in a way it has never been able to do. The Town made a very wise decision when they sold the utilities. The Statement of Activities shows \$2,488,635 in expenses for the governmental activities. A large portion of the expenses was due to the paving of streets. The modified accrual shows \$1,075,771 in assets and \$794,079 is cash. This is a more restricted accounting. The unreserved fund balance is \$292,749. This is what the Town uses to budget by. The Town may only use the cash collected, but makes you show all the expense that was paid and owed by the Town. Statement of Revenues shows \$2,327,753. The proceeds from sale of the utility assets were \$6,751,500 in the proprietary fund. The tax collection rate for 2007 is 98.48 % excluding register vehicles. The county collects the motor vehicles taxes.

Commissioner Porter made a motion to accept the Audit Report and was seconded by Commissioner Baker. The Board voted unanimously.

(Pages 7213 A-K)

CONSIDERATION OF 2007 AWARD OF PAVING AND STREET REPAIRS CONTRACT

Commissioner Whitman made a motion to award the Paving and Street Repairs Contract to Johnson Brothers in the amount of \$125,277.04 and was seconded by Commissioner Porter. The Board voted unanimously.

CONSIDERATION OF RESOLUTION ESTABLISHING A POLICY FOR CESSATION OF SPECIAL SEPERATION ALLOWANCE PAYMENTS TO RETIRED LAW ENFORCEMENT OFFICERS

Commissioner Whitman made a motion to adopt the Resolution Establishing a Policy for Cessation of Special Separation Allowance Payments to Retired Law Enforcement Officers and was seconded by Commissioner Corbett. The Board voted unanimously.

(Pages 7213 L-M)

ADJUSTMENT OF TERMS OF RECREATION ADVISORY BOARD MEMBERS

Commissioner Baker made a motion to adopt staggered terms for the Recreation Advisory Board members. Advisory Members Bill Fennell and Chuck Simmons terms will expire in 2009 and Karen Stephenson, Malcolm Spears and Ian Neil Avery will expire in 2010. Commissioner Whitman seconded the motion. The Board voted unanimously.

CONSIDERATION TO MOVE HOUSE INTO ERWIN

Glenn Avery is requesting consent of the Board to move a house from Erwin Rd to a lot on Raiford Rd. Mr. Avery purchased a bond in the amount \$500.00. The house was inspected by Building Inspector and meets all codes. Commissioner Baker made a motion to approve

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moving a house from Erwin Rd to Raiford Rd if all requirements of the ordinance are met and inspection is approved by Building Inspector. Commissioner Porter seconded the motion. The Board voted unanimously.

OTHER BUSINESS

Newly elected Board Members were encouraged to attend a class on Essentials of Municipal Government.

The Board was asked to consider setting a date and schedule the Annual Retreat for January.

PUBLIC COMMENT

Allen Ray Johnson owns the home at 10777 US Hwy 421. Mr. Johnson request the Board extend time to complete improvements needed to bring the house to code. Mr. Johnson said he has had health problems, and someone removed the wiring from the house causing him more hardship.

Commissioner Whitman made a motion to allow Mr. Johnson until January 31, 2008 to complete the renovations on his house at 10777 US Hwy 421 and was seconded by Commissioner Porter. The Board voted unanimously.

Diana Wagner, 204 Cedarwood Dr. , Mrs. Wagner states the storm drains across from her property is causing damage to her home and property located at 204 Cedarwood Dr. Mrs. Wagner is requesting information about the storm water spec and plans for Forest Hills Subdivision or disprove the problems is not caused by the Town's storm drains.

Lynn Davis, daughter was in agreement with Mrs. Diana Wagner's position and spoke in support of her mother's request. Mrs. Davis said she will continue to seek help for her mother in resolving this problem.

According to the Municipal Records Retention and Disposition Schedule the Town is not required to keep spec or permits after 3years once a subdivision is completed and approved. The Town's Staff was unable to provide the information requested.

ADJOURNMENT

Commissioner Baker made a motion to adjourn at 9:10 P.M. and was seconded by Commissioner Porter. The Board voted unanimously.

MINUTES RECORDED AND TYPED BY PAMELA S. ADDISON, TOWN CLERK.

Town Clerk, Pamela S. Addison

Mayor Patsy M. Carson