

**ERWIN BOARD OF COMMISSIONERS  
MEETING MINUTES  
JANUARY 3, 2008  
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, January 3, 2008 at 7:00 P. M. in Erwin, North Carolina.

Board members present were Commissioners Norma Ennis, Randy Baker, Mark Whitman, W. N. Porter, Michael West and William Corbett.

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

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

Commissioner West gave the invocation.

Those present recited the Pledge of Allegiance.

**AGENDA ADJUSTMENTS**

Commissioner Ennis made a motion to add Consent Item C. FY 07/08 Budget Amendment #07/08-04 and New Business Item B. Appointment of Planning/Zoning Board Member. Commissioner Whitman seconded the motion. The Board voted unanimously.

**CONSENT ITEMS**

Commissioner Baker made a motion to approve Item (A). Approval of Minutes for 12/06/07 Board of Commissioners Regular Meeting; (B) FY 07-08 Budget Amendment #07-03 and Budget Amendment #07-04. Commissioner Ennis seconded the motion. The Board voted unanimously.

(Pages 7215 A-B)

**PUBLIC HEARING**

**TOWN OF ERWIN ZONING AMENDMENT APPLICATION #Z07-04**

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

Jimmy McCauley, applicant submitted a zoning amendment application to rezone his property (Harnett County PIN # 0597-96-4028.000) located at 340 E. Jackson Blvd. from that of its current Town of Erwin Zoning classification of M-1 to that of R-6. The Erwin P & Z Board met on December 17, 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 #Z07-04 to rezone 340 E. Jackson Blvd from M-1 to R-6 to come

**MINUTES OF JANUARY 3, 2008 CONTINUED**

forward, state their name and address for the record prior to beginning presentation of statement.

Jimmy McCauley, 340 E. Jackson Blvd. Erwin NC came forward. Several years ago a blanket annexation changed the zoning from R-6 to M-1. Mr. McCauley was unaware his property was zoned M-2. Mr. McCauley said he has no control over his property. The lot does not meet requirements if he decided to make improvements to his house. The Mortgage Company will not loan any money for equity because of the current zoning. Mr. McCauley said he has the property insured for a certain amount of money. Mr. McCauley said if his home was to burn, he would not be allowed to rebuild on the property or receive any payments from the insurance company because of the M-2 zoning. Mr. McCauley ask the Board to rezone his property to R-6.

Mayor Carson requested that anyone wishing to speak against Town of Erwin Zoning Amendment Application #Z07-04 to rezone 340 East Jackson Blvd. from M-1 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 7:08 for Town of Erwin Zoning Amendment # Z07-04 and was seconded by Commissioner Whitman. The Board voted unanimously.

**NEW BUSINESS****CONSIDERATION OF TOWN OF ERWIN ZONING AMENDMENT APPLICATION  
#Z07-04**

Commissioner Whitman made a motion to accept Zoning Amendment # Z07-04 to rezone 340 Jackson Blvd from M1 to R6 and was seconded by Commissioner Ennis. The Board voted unanimously.

**APPOINTMENT OF PLANNING/ZONING BOARD MEMBER**

Commissioner Ennis made a motion to reappoint Gay Wilson Prevatt for a three year term of office on the Planning and Zoning Board. Commissioner Porter seconded the motion. The Board voted unanimously.

**OTHER BUSINESS**

Commissioner Baker made a motion to move the July 3<sup>rd</sup> Board meeting date to that of July 10<sup>th</sup>, 2008 due to conflict of July 4<sup>th</sup> holiday and was seconded by Commissioner West. The Board voted unanimously.

**PUBLIC COMMENT**

Frank Taylor, 405 North 14<sup>th</sup> Street came forward and asked the Board to reconsider the decision made for a request made by Mary Freeman to provide a Daycare Center at 701 East H Street. Mr. Taylor said after investigating he found the facility located within the 300 feet

**MINUTES CONTINUED 1/12/2008**

limit zoned as an educational facility. Mr. Taylor said this would not cause a conflict with the rule the Board used to base their decision upon. Mr. Taylor said this would not go away and he would like for the Board reconsider their decision. Mr. Taylor said Erwin needs all the businesses it can get.

**REPORTS FROM MANAGER AND STAFF**

The Town's retreat is scheduled for Jan 12, 2008 at 9:00 A.M. and will be located at the Employee's Training Room next to the Erwin Community Center.

**REPORTS FROM BOARD OF COMMISSIONERS**

Commissioner Porter thanked Mr. Taylor for his comments in support of Mrs. Freeman Daycare. Commissioner Porter requested the Board reconsider their decision based on Mr. Taylor's findings of the other building located within 300 ft is described as an Educational Center. Commissioner Porter stressed that based on those findings the Board may approve Mrs. Freeman's Daycare.

Commissioner Porter offered a motion to reconsider decision based on the Planning Board's recommendation.

Commissioner Porter withdrew his motion.

The Board would like to review the Zoning Ordinance and also stressed the need to bring the two new Board members up-to-date before making any other decisions on the matter.

The Board was in full agreement to discuss the Zoning Ordinance at the Retreat January 12<sup>th</sup>.

Commissioner Ennis thanked the Board and all who had stood by her and David during their sickness.

Commissioner Whitman asks the Code Enforcement Officer to look at 302 East C Street and see what can be done to remove the junk located in the backyard.

Frank Taylor asks why the Board will not make a decision. Mr. Taylor said a decision was made two weeks ago about destroying a house on Hwy 421. A man can ask the Board to extend his time and the Board agreed to grant him 30 more days. The new Board members were included in the decision. Mr. Taylor wanted to know what was the difference was.

**ADJOURNMENT**

Commissioner Baker made a motion to adjourn at 7:35 P.M. and was seconded by Commissioner Whitman. The Board voted unanimously.

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

---

**Town Clerk, Pamela S. Addison**

---

**Mayor Patsy M. Carson**