

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
JANUARY 8, 2009
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 8, 2009 at 7:00 P. M. in Erwin, North Carolina.

Board members present were: Commissioners Frank Taylor, Mark Whitman, William Corbett, Michael West, Randy Baker and Norma Ennis.

Town Manager Bryan Thompson, Interim Town Clerk Cynthia Patterson and Town Attorney Mac Hunter were present.

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

Commissioner Taylor gave the invocation.

Those present recited the Pledge of Allegiance.

AGENDA ADJUSTMENTS

Commissioner Baker made a motion to remove **New Business Item (C)**. Presentation of Resolution to Raymond Clifton McCall for 20 Years of Service to **Item (C) Consent Items** and add a Closed Session G.S. 143-318.11 for the purpose to consult the Town Attorney to discuss legal matters. Commissioner Ennis seconded the motion. The Board voted unanimously

CONSENT ITEMS

Commissioner Ennis made a motion to approve **Item (A)** Approval of Minutes for 12/04/08 Board of Commissioners Regular Meeting, **Item (B)** Tax Releases and **Item (C)** Presentation of Resolution to Raymond Clifton McCall for 20 Years of Service. Commissioner Baker seconded the motion. The Board voted unanimously.

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PRESENTATION OF RESOLUTION TO RAYMOND CLIFTON MCCALL

Mayor Carson asked if Mr. McCall would come forward to present him with a plaque for 20 years of service to the Town of Erwin.

Mr. McCall has been with the Erwin Police Department for 20 years and had such great dedication for the Police Dept. and was a great role model for our children of Erwin. Mr. McCall will be missed dearly.

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Interim Police Chief Hank Hairr also presented a plaque containing Mr. McCall's badge. Chief Hairr stated that Mr. McCall has been part of the Erwin Police Dept. family for 20 years and leaving with good standing and dedication. He then called Harnett County Dispatchers for the last radio transmission call of retiring officer #413, Raymond McCall.

PUBLIC HEARING

Commissioner Baker made a motion to open a Public Hearing at 7:05 P.M. Commissioner Whitman seconded the motion. The Board voted unanimously.

REZONING APPLICATION FOR MSM REALTY

Applicant MSM Realty better known as Erwin IGA located at 801 South 13th Street is seeking a Rezoning Application to rezone from R-10 to B-2 in order to make improvements to store.

Dwight Snow, attorney came forward and spoke to the Board of Commissioners on behalf of MSM Realty which is the owner of Carlie C's IGA. Mr. Snow stated that MSM Realty has purchased property to the rear of IGA and re-subdivided the property. The property is 1.44 acres of land which is currently zoned R-10, Residential.

Mac McLamb, owner of Carlie C's IGA came forward and spoke. Mr. McLamb stated to the Board that it was his hope to be completed in 2009. Mr. McLamb stated they have five (5) engineers working now and more involved.

Commissioner Ennis had a question of where would the gas pumps be located? Mr. McLamb stated if you were facing the store the addition will be to the right and the pumps would be between the end of the store and Hwy 82. Mr. McLamb also stated there would not be anymore access driveways coming into the shopping area than what's currently there.

Town Manager Bryan Thompson, advised the Board of Commissioners that the Planning Board Members considered the recommendations that were given by the applicant in answering the Finding of Facts in hopes that the Board of Commissioners would accept them as well.

CONDITIONAL USE APPLICATION FOR AUTOMOBILE TIRE SALES AND SERVICES

Applicant Thomas J. Smith, Good Fellows Sight and Sound, located at 204 B East Jackson Blvd. is seeking a Conditional Use Application for an Automobile Tire Sales and Services.

Town Manager Bryan Thompson advised the Board that Mr. Smith intends to expand their operations in the service they provide. Currently they provide audio and video type service for automobiles and would like to extend the service of the business to include custom rims and tires.

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Commissioner Baker had a question, were they going to work on the vehicles onsite or will this be strictly a sales business? Town Manager Bryan Thompson advised the Board that the question was not specifically asked by the Planning Board Members. Mr. Thompson also stated that there were no site plans available.

Commissioner Ennis made a motion to close the Public Hearings at 7:20 P.M. Commissioner Baker seconded the motion. The Board voted unanimously.

NEW BUSINESS**CONSIDERATION OF REZONING APPLICATION FOR MSM REALTY**

Commissioner Baker made the motion to approve the recommendations by the Planning Board, Finding of Facts and approve the rezoning of land from R-10 to B-2. Commissioner Whitman seconded the motion. The Board voted unanimously.

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**CONSIDERATION OF CONDITIONAL USE APPLICATION FOR AUTOMOBILE
TIRE SALES AND SERVICES**

Commissioner Ennis made the motion to table the Conditional Use Application for Automobile Tire Sales and Service. Commissioner Whitman seconded the motion. The Board voted unanimously.

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PUBLIC COMMENT

Michael Bryant, 179 Iris Bryant Road came forward and spoke. Mr. Bryant thanked Commissioner Corbett and the Town of Erwin for trimming the tree in memory of his mother, former Commissioner Iris Bryant. He also stated that there were nine (9) other trees that have been planted in the Town of Erwin in memory of other people. He would like for the trees to be found and place a plaque at each tree in memory of those who have passed.

Mr. Bryant would like to see the Erwin Tree Board start again. He would also be interested in chairing the committee.

MANAGERS REPORT

Bryan Thompson, Town Manager advised the Board of the resignation of Brian Lagana, Erwin Building Inspector and Code Enforcement. Mr. Lagana accepted a position with the Town of Morrisville. In the meantime, the City of Dunn will be helping out until the Town makes permanent arrangements.

MINUTES OF JANUARY 8, 2009 CONTINUED

The DOT Contract Renewal is being reviewed and this will be available to the Board in February.

Plans for an Outdoor Community Movie Theater are being worked on. Tentatively looking at W.N. Porter Park for its location.

Mr. Thompson also stated he is reviewing a number of Subdivision plats and found a certain level of restrictiveness to the Town's Subdivision Ordinance as it relates to the definition of Minor Subdivisions. Hope to have the proposal to the Board by the next Board of Commissioners Meeting in February.

The Board was reminded of the Annual Chamber of Commerce Banquet on Thursday, January 22, 2009 at 6 P.M.

Mr. Thompson asked for the consent of the Board for the Commissioners Retreat to be held on Saturday, January 31, 2009 at 9 A.M.

GOVERNING BOARD COMMENTS

Commissioner Frank Taylor wanted to thank everyone for coming to the meeting and all the hard work the Commissioners are doing.

Commissioner West apologized for being late and encouraged everyone to try Zaxby's, the Town of Erwin's latest restaurant.

Commissioner Ennis thanked the Commissioners, Town Employee's and the citizens of Erwin for being so kind and thoughtful and the many prayers during the passing of former Commissioner and husband David Ennis.

Commissioner Whitman wanted to let everyone know that did not attend the NC Step Meeting Tuesday, January 6, 2009 that there was a very good representation of the Town's Citizens. There was a lot of diverse impute and that's what will make the STEP Program really take off in the Town of Erwin.

Commissioner Corbett announced the passing of former Commissioner Rip Sizemore. Also encouraged everyone to go out and try Zaxby's. Commissioner Corbett thanked Superior Landscaping for trimming the tree for Mr. Michael Bryant. Also pleased with the turn out at the NC Step Meeting and thought the meeting went well.

Mayor Patsy Carson remembered Gay Wilson Prevatt who was in an automobile accident Christmas Day. Mark Prevatt was killed in the accident. She asked for everyone to keep Gay and her family in your prayers. They were both members of the Planning Board. There will be a memorial for Mr. Prevatt at a later date.

MINUTES OF JANUARY 8, 2009 CONTINUED**CLOSED SESSION**

Commissioner Corbett made a motion to go into Closed Session at 7:35 P M to consult with Attorney (G.S. 143-318.11). Commissioner West seconded the motion. The Board voted unanimously.

RECONVENED

Commissioner Ennis made a motion at 8:31 P.M. to reconvene to the Regular Session and was seconded by Commissioner Whitman. The Board voted unanimously.

Commissioner Whitman made a motion to add to the new agenda the approval of T-Mobile Contract. Commissioner Corbett seconded the motion. The Board voted unanimously.

Commissioner Whitman made a motion to approve the assuming contract with the discussed changes with the Town Attorney and allow the Town Manager if passed, to act upon the completion of the contract and have the authority to execute the contract. Commissioner Ennis seconded the motion. The Board voted 4 for and 2 against (Commissioners Baker and Taylor).

ADJOURNMENT

Commissioner Whitman made a motion to adjourn at 8:35 P.M. and was seconded by Commissioner Ennis. The Board voted unanimously.

**MINUTES RECORDED AND TYPED BY CYNTHIA B PATTERSON, INTERIM
TOWN CLERK**

Cynthia B. Patterson, Interim Town Clerk

Patsy Carson, Mayor