

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
JULY 5, 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, July 5, 2007 at 7:00 P. M. in Erwin, North Carolina.

Board members present were Commissioners Norma Ennis, W. N. Porter, Brian Gurkin, Ricky Blackmon, Randy Baker and Mark Whitman.

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 Gurkin gave the invocation.

Those present recited the Pledge of Allegiance.

CONSENT ITEMS

Commissioner Gurkin made a motion to approve Item (A). Approval of Minutes for 6/07/2007 Board of Commissioners Regular Meeting. Commissioner Whitman seconded the motion. The Board voted 6 for and 0 against.

PUBLIC HEARING

TOWN OF ERWIN CONDITIONAL USE PERMIT APPLICATION #CU07-02

Commissioner Gurkin made a motion to open a Public Hearing at 7:03 P.M. for the Town of Erwin Conditional Use Permit Application #CU07-02 and was seconded by Commissioner Blackmon. The Board voted 6 for and 0 against.

The applicant Mr. Terrell Lindsay is requesting to operate an automotive oriented business on property at 823 South 13th Street in Erwin. The property is owned by Earl Barefoot and identified as Harnett County PIN # 0597-50-5799.000. Mr. Lindsay wishes to operate a used car sales lot on the property. This property is zoned B-2 and automotive oriented businesses requires the issuance of a Conditional Use Permit by the Board. If the request is granted, the permit would be an amendment to an earlier Permit the Board issued for the establishment of an auto detailing business.

All adjacent property owners were notified, property was posted, and the Public Hearing was advertised two consecutive weeks in a local newspaper. The Planning Board made a favorable recommendation and suggested minimum parking in the front of the business , no outside storage and no more than fifteen cars for sale on the lot .

MINUTES OF JULY 5, 2007 CONTINUED

Mayor Carson requested that anyone wanting to speak in favor of Town of Erwin Conditional Use Permit Application # CU 07-02 for the establishment of a used car lot sales at 823 South 13th Street to come forward, take the oath, state their name and address for the record prior to beginning presentation of statement.

No-one came forward.

Mayor Carson requested that anyone wanting to speak against Town of Erwin Conditional Use Permit Application # CU 07-02 for the establishment of a used car lot sales at 823 South 13th Street to come forward, take the oath, state their name and address for the record prior to beginning presentation of statement.

No-one came forward.

Commissioner Ennis made a motion to close the Public Hearing at 7:08 P.M. for the Town of Erwin Conditional Use Permit Application #CU07-02 and was seconded by Commissioner Whitman. The Board voted 6 for and 0 against.

TOWN OF ERWIN CONDITIONAL USE PERMIT APPLICATION # CU07-03

Commissioner Baker made a motion to open a Public Hearing at 7:11 P.M. for the Town of Erwin Conditional Use Permit Application #CU07-03 and was seconded by Commissioner Gurkin. The Board voted 6 for and 0 against.

The applicant Edgar Myers is requesting to operate a golf cart sales, storage and repair facility on property located at 206 E Jackson Blvd. The property is owned by Melvin and Willow Dean Myers. The property is zoned B-2 and requires a Conditional Use Permit under §4030.3 as outdoor display, storage or sale of vehicles or other equipment material. The Planning Board voted to forward a favorable recommendation to the Board of Commissioners. All adjacent property owners were notified, property was posted, and the Public Hearing was advertised two consecutive weeks in a local newspaper.

Mayor Carson requested that anyone wanting to speak in favor of Town of Erwin Conditional Use Permit Application # CU 07-03 for the establishment of a golf cart sales, storage and repair facility on property located at 206 E Jackson Blvd. to come forward, take the oath, state their name and address for the record prior to beginning presentation of statement.

No-one came forward.

Mayor Carson requested that anyone wanting to speak against Town of Erwin Conditional Use Permit Application # CU 07-03 for the establishment of a golf cart sales, storage and repair facility on property located at 206 E Jackson Blvd. to come forward, take the oath, state their name and address for the record prior to beginning presentation of statement.

No-one came forward.

Commissioner Gurkin made a motion to close the Public Hearing at 7:13 P.M. for the Town of Erwin Conditional Use Permit Application #CU07-03 and was seconded by Commissioner Whitman. The Board voted 6 for and 0 against.

MINUTES OF JULY 5, 2007 CONTINUED**NEW BUSINESS****CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION # CU07-02**

Applicant Mr. Terry Lindsay who wishes to operate a used car lot at 823 South 13th Street, Erwin was not present.

The Board requested Mr. Lindsay provide a detailed site plan with spaces provided for cars that will be sold and parking spaces for customers.

Commissioner Whitman said he was unsure if Mr. Lindsay was aware of all the development requirements he must do if granted the permit.

Commissioner Whitman made a motion to table Town of Erwin Conditional Use Permit Application # CU 07-02 for the establishment of a used car lot sales at 823 South 13th until applicant Mr. Terrell Lindsay understands all development requirements and he provides the Board with adequate site plans. Commissioner Baker seconded the motion. The Board voted 6 for and 0 against.

CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION # CU07-03

Commissioner Ennis made a motion to approve # CU 07-03 for the establishment of a golf cart sales, storage and repair facility on property located at 206 E Jackson Blvd. with the following conditions applying (1) carts for sale be in prime condition and within a fenced area, (2) no outside storage, (3) carts under repair will be stored inside. Commissioner Blackmon seconded. The Board voted 6 for and 0 against.

CONSIDERATION OF NC PARTF MUNICIPAL PARK RENOVATION GRANT AGREEMENT

The PARTF grant amount of \$395,000 must be matched on at least a dollar-for dollar basis by the Town of Erwin during a (3) three year period. The grant will allow the Town to resurface tennis courts, install new lighting, renovate ball fields, add scoreboards, create a new multi-purpose field, improve playground, fencing, walking trail, bleachers, concession stand with restrooms, water fountain, add new skate park, landscaping, provide planning/design cost and contingency.

Commissioner Blackmon made a motion to accept the award for the NC Parks and Recreation Trust Fund Grant and was seconded by Commissioner Baker. The Board voted 6 for and 0 against.

(Pages 7183 A-K)

DISCUSSION OF EAST ERWIN STORM WATER DRAINAGE STUDY PROPOSAL

The Town's consulting engineering firm of Stearns and Wheler, PLLC reviewed a previous analysis done by Engineering Services for storm water CIP planning and design on the East Erwin's drainage situation. After Stearns and Wheler did a field assessment of the area they recommended that the Town consider utilizing the services of WK Dickson & Co., Inc.

MINUTES OF JULY 5, 2007 CONTINUED

Mr. Scott Whalen, PE with W. K. Dickson & Co., Inc. provided a proposal to assist the Town of Erwin for storm water CIP Planning and design project area generally bounded by US 421 to the north, Denim Drive to the south, St Matthews Street to the west, and the Black River to the east.

The Board of Commissioners recognized the project is long over due but was reluctant to accept for lack of understanding the contract fees for Phase I and Phase II.

Commissioner Baker made a motion to table until more clarification is provided on the proposal and the Town inquires about a second bid for comparison. Commissioner Blackmon seconded the motion. The Board voted 6 for and 0 against.

OTHER BUSINESS

CAPE FEAR RIVER TRAIL

Town Manager Alan Thornton provided a progress report on the Cape Fear River Trail project. The bid was a bit over the available funds provided by the PARTF grant received for the project as it was originally designed. The contractor has agreed to reduce the price somewhat, but, in order to continue with the original plans, the county is seeking help in funding one of the three overlooks. The estimated cost of an overlook is \$16,000.

Commissioner Blackmon asks if the county would be willing to split the cost of the overlook.

Commissioner Blackmon made a motion to provide the funds for an overlook, with or without the County sharing ½ cost. Commissioner Ennis seconded the motion. The Board voted 6 for and 0 against.

CHICORA PAVING

One of the owners of the Chicora County Club approached the Town requesting the Town consider paving its right-of-way. The owners are planning to make additional improvements to their facilities. This is a Town street and a public right-of-way. Powell Bill funds are available if the Board consents.

The Board directed town's staff for bids and bring back for consideration.

PUBLIC COMMENT

Norman Avery, 200 North 13th Street, Erwin NC, came forward on behalf of the Erwin Business Complex to request that the Board allow the Business Complex additional time to insure an uninterrupted supply of water for the fire suppression system. Mr. Avery said if the water was cut off, it would have closed sixteen companies in Erwin and 104 people without jobs. Mr. Avery provided the Board with a rough draft of the proposed water project and a bid proposal of \$34,000 for the water supply for fire protection to the Erwin Business Complex. Mr. Avery said if the Erwin Business Complex accepts this bid or another bid they would offer the Town \$1.00 for the elevated storage tank and would like the Town to split the cost to make the modifications to the system. Mr. Avery stated he would like to see the Town adopt a more relaxed governing set of rules and regulations in order to help the community and businesses coming to Erwin.

MINUTES OF JULY 5, 2007 CONTINUED

The Board was in full agreement to grant the Erwin Business Complex the additional time of 60 days/October 1, 2007 to bring back bids for making necessary modifications and provide their own fire suppression system. The Town staff was directed to continue servicing the elevated tank until the changes are complete.

Town Manager Alan Thornton said no motion is required but he would put the directions from the Board in writing to Mr. Avery and the Erwin Business Complex.

REPORTS FROM TOWN MANAGER AND STAFF

Town Attorney Mac Hunter updated the Board of Commissioners on the problems associated with obtaining deeds for the downtown sidewalks. Attorney Hunter suggested all property owners of the Erwin Parking Lot Association be required to sign all the documents for transferring the sidewalks and parking lot to the Town. A Resolution from the Erwin Parking Lot Association and Business Owners stating their intent of transfer and present to the Town with signatures of all property owners would be necessary.

REPORTS FROM BOARD OF COMMISSIONERS

Commissioner Blackmon requested the fence around public works be repaired and painted to cover the rust and also purchase a sign for the Public Works Building.

Commissioner Ennis requests the State maintain and remove debris from the Cape Fear River Bridge coming into Erwin.

Commissioner Whitman reported a bad hole on Holmes Street and requested that it be repaired.

Commissioner Baker reported problems still exist with the skate boards and vandalism at the Park. Commissioner Baker asked for suggestions for monitoring the park for damages and how to enforce fines and control the problems.

ADJOURNMENT

Commissioner Gurkin made a motion to adjourn at 8:25 P.M. and was seconded by Commissioner Porter. The Board voted 6 for and 0 against.

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

Town Clerk, Pamela S. Addison

Mayor Patsy M. Carson