

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
JULY 10, 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, July 10, 2008 at 7:00 P. M. in Erwin, North Carolina.

Board members present were Commissioners Randy Baker, William Corbett, Michael West and Mark Whitman.

Board Members absent were Commissioner Norma Ennis.

Interim Town Manager Pamela Addison, Deputy 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 Michael West gave the invocation.

Those present recited the Pledge of Allegiance.

AGENDA ADJUSTMENT

Commissioner William Corbett made a motion to add Consent Agenda **Item E**. Proclamation Recognizing Hazel Guy. Under **New Business** remove Business **Item A**. Presentation of Proposed Harnett County Comprehensive Transportation Plan. Add under New Business last item, Closed Session G.S. 143-318.11 personnel matter and was seconded by Commissioner Michael West. The Board voted 4 for and 1 absent (Commissioner Norma Ennis)

CONSENT ITEMS

Commissioner William Corbett made a motion to approve **Item (A)**. Approval of Minutes for 06/05/2008 Board of Commissioners Regular Meeting. **Item (B)**. Approval of Minutes for 06/16/2008 Board of Commissioners Budget Workshop. **Item (C)** Tax Collector's Annual Settlement Report. **Item (D)** Tax Releases & Adjustments. **Item (E)** FY2007-2008 Budget Amendment. **Item (F)** Town of Erwin Resolution Recognizing Elissa Rachel Tew and was seconded by Commissioner Michael West. The Board voted 4 for and 1 absent (Commissioner Norma Ennis).

(Page 7259 A-E)

PRESENTATION OF PLAQUE RECOGNIZING MISS ELISSA RACHEL TEW

Mayor Patsy Carson asked Miss Elissa Rachel Tew to come forward. Mayor Patsy Carson presented a plaque recognizing Miss Elissa Rachel Tew, who is at the end of her term as Junior Miss North Carolina, a title which she was awarded last July at the Little Miss North Carolina State Scholarship Pageant in Lenoir.

MINUTES OF JULY 10, 2008 CONTINUED**CONSIDERATION OF APPOINTMENT OF COMMISSIONER FOR WARD I SEAT**

Mayor Patsy Carson stated that the Town of Erwin has received two applications for Ward I, Jim Hartman and Frank Taylor. Mayor Patsy Carson reminded both candidates that if one was not chosen tonight that Ward I Seat will be up for re election in 2009 and you will be able to run for that seat.

(Page 7260 A-B)

Rule 15. Voting By Written Ballot

The council may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the council shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the town clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

The vote was received as followed:

Frank Taylor---4

Michael West
William Corbett
Randy Baker
Mark Whitman

Jim Hartman---0

Mayor Patsy Carson announced that Frank Taylor will be Commissioner for Ward I. She asked that if Mr. Taylor would come forward and be sworn in at this time.

OATH OF OFFICE

Deputy Town Clerk Cynthia Patterson administered the oath to Mr. Frank Taylor, Commissioner for Ward I. Mr. Taylor will be replacing Mr. W.N. Porter for the remainder of his term.

(Page 7260 A)

CONSIDERATION OF APPOINTMENT OF MAYOR PROTEM

Mayor Patsy Carson opened the floor for recommendations for Mayor Protem. After much discussion Commissioner Michael West made the motion to nominate Commissioner Randy Baker as the new Mayor Protem and was seconded by Commissioner Mark Whitman. The Board voted 4 for and 1 absent (Commissioner Norma Ennis).

MINUTES OF JULY 10, 2008 CONTINUED**OATH OF OFFICE**

Deputy Town Clerk Cynthia Patterson administered the oath to Randy Baker, Mayor Protem. Mr. Randy Baker will be replacing Mr. W.N. Porter.

(Page 7261 A)

PUBLIC HEARING**CONSIDERATION OF ESTABLISHMENT OF A GOLF CART ORDINANCE**

Commissioner Randy Baker made the motion to open a Public Hearing at 7:15 P.M. for the Consideration of Establishment of a Golf Cart Ordinance and was seconded by Commissioner Mark Whitman. The Board voted 5 for and 1 absent (Commissioner Norma Ennis).

Chief Preston Howell came forward to answer any questions from the Board. Chief Preston Howell advised the Board to look at Section 2 Inspection and Re-Inspection Fee. He stated that the Board can determine the cost of the fee for Inspection and Re-Inspection Fee. Chief Preston Howell also stated that the owner of the golf cart needed to have proof of insurance and a valid driver's license.

No golf cart may be operated on the following streets: Denim Drive, Old Post Road, 13th Street and Hwy 421; but may be crossed at a proper intersection.

Anyone involved in a parade such as the Christmas parade and Denim Days parade will not need an Inspection Sticker.

The Golf Community would also be exempt from the ordinance as well.

No one came forward to speak against the golf cart ordinance.

CONSIDERATION OF ESTABLISHMENT OF A YOUTH CURFEW

Chief Preston Howell came forward to answer any questions the Board may have. Chief Preston Howell advised the Board that this is not an ordinance to arrest our kids; it's to get them off the streets and keep them safe.

Mayor Patsy Carson asked if anyone would like to come forward and speak in favor of the Youth Curfew.

Walt Edwards, 910 Walnut Drive, Erwin, came forward and spoke. He stated he didn't know if the town had a need for a curfew and suggested that the time frame be from 11pm to 7am.

Melody Lee, Masonic Road, Erwin, came forward and spoke. She stated she was not for or against the curfew ordinance but had a concern with the time limit and recommended that it would be changed from 10pm to 11pm.

No one came forward to speak against the Youth Curfew Ordinance.

MINUTES OF JULY 10, 2008 CONTINUED

Commissioner Mark Whitman made a motion to close the Public Hearings at 7:29 P.M. and was seconded by Commissioner William Corbett. The Board voted 5 for and 1 absent (Commissioner Norma Ennis).

NEW BUSINESS

DISCUSSION TO PLACE A WIRELESS TELECOMMUNICATION TOWER ON TOWN PROPERTY

John Mazur, Site Acquisition Specialist for T-Mobile came forward and spoke. Mr. Mazur is requesting to lease 100x100 piece of land. The typical lease duration is an initial five-year term with four (4), five (5) year renewals.

Commissioner Randy Baker had a concern with the fall zone area. Mr. Mazur stated that the fall zone area for this tower would be between 50ft-75ft.

Mac Hunter expressed his concern with the removal of the tower and replacing the property in the condition it is in prior to the lease. Mr. Mazur stated that could be added in the lease agreement with no problem.

CONSIDERATION OF RESOLUTION ESTABLISHING A GOLF CART ORDINANCE

Commissioner Mark Whitman made the motion to table the Golf Cart Ordinance and schedule a workshop for Tuesday, July 15, 2008 at 5 P.M. and was seconded by Commissioner William Corbett. The Board voted 5 for and 1 absent (Commissioner Norma Ennis).

CONSIDERATION OF RESOLUTION ESTABLISHING A YOUTH CURFEW ORDINANCE

Commissioner Randy Baker made a motion to approve the Youth Curfew Ordinance with the time limit being 11pm to 7am and was seconded by Commissioner Mark Whitman. The Board voted 5 for and 1 absent (Commissioner Norma Ennis).

(Page 7262 A-F)

Commissioner Randy Baker made a motion to excuse Commissioner Frank Taylor from the Board of Commissioners Meeting at 7:40 P.M. and was seconded by Commissioner Mark Whitman. The Board voted 5 for and 1 absent (Commissioner Norma Ennis).

MINUTES OF JULY 10, 2008 CONTINUED**CONSIDERATION OF AUDIT SERVICES**

Interim Town Manager Pam Addison advised the Board that she had received two (2) proposals for Audit Services.

Petway, Mills, & Pearson, they have an office in Raleigh and Zebulon. They have submitted a bid for a three (3) year contract.

June 30, 2008 Audit Fee \$18,500

June 30, 2009 Audit Fee \$19,000

June 30, 2010 Audit Fee \$19,500

Cost of Clerical Staff, supplies, materials and travel are included in rate calculations

Thompson, Price, Scott, Adams & Co., they have offices in Elizabethtown, Wilmington, and Whiteville. They have also submitted a bid for a three (3) year contract.

June 30, 2008 Audit Fee \$13,100

June 30, 2009 Audit Fee \$13,100 Est.

June 30, 2010 Audit Fee \$13,100 Est.

The cost for the audit year June 30, 2008 is binding, while the years which follow are estimated costs. No charge for supplies, materials and travel.

Commissioner Randy Baker made a motion to accept the lowest bidder, Thompson, Price, Scott, Adams & Co and was seconded by Commissioner William Corbett. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

CONSIDERATION OF PLANNING/BOARD OF ADJUSTMENTS APPOINTMENT

Interim Town Manager Pam Addison advised the Board that Norman Avery has submitted an application for appointment to the Erwin Planning/Board of Adjustments. Mr. Avery lives within the Erwin ETJ limits and may be considered to fill a vacant seat as an Out-of-Town Alternative Member.

Alternate seat will be a three (3) year term.

Commissioner Randy Baker made a motion to approve the appointment of Mr. Norman Avery to alternate status on the Erwin Planning/Board of Adjustments and was seconded by Commissioner Mark Whitman. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

MINUTES OF JULY 10, 2008 CONTINUED**CONSIDERATION OF REAPPOINTMENT TO RECREATION ADVISORY BOARD**

Interim Town Manager Pam Addison advised the Board that Angela Tyndall has submitted an application for reappointment to the Recreation Advisory Board. Mrs. Tyndall's previous term expired June 30.

Commissioner Mark Whitman made a motion to reappoint Angela Tyndall to the Recreation Advisory Board and was seconded by Commissioner William Corbett. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

(Page 7264 A)

CLOSED SESSION

Mayor Patsy Carson advised everyone that the Board would now go in closed session to discuss a personnel matter.

Commissioner Randy Baker made a motion to go into closed session G.S. 143.318.11 at 7:50 P.M. and was seconded by Commissioner Mark Whitman. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

RECONVENED

Commissioner Randy Baker made a motion to reconvene at 8:45 P.M. and was seconded by Commissioner Mark Whitman. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

OTHER COMMENTS

Interim Town Manager Pam Addison advised the Board that the Recreation Dept. has surplus property; a tractor that is no longer being used will be on next months agenda.

PUBLIC COMMENTS

Doris Wilson of 203 West E. Street, Erwin, came forward and spoke. Mrs. Wilson stated she had a problem with a building that is on her property and building on her neighbor's property. Mrs. Wilson also stated that she has been told she had to remove her building that it was too close to the property line however her neighbor's building was o.k. Mrs. Wilson stated that she felt like she was singled out. Commissioner Randy Baker advised Mrs. Wilson that she was in an R-10 zoned area and the minimum setback is 10ft. Both would have to be moved to at least 10ft. Commissioner Randy Baker also stated that the Code Enforcement Officer would go out and meet with both her and her neighbor.

MINUTES OF JULY 10, 2008 CONTINUED**REPORTS FROM TOWN MANAGER**

Interim Town Manager Pam Addison announced that American Ramp Company will be sending a representative to hold a design meeting with us on Tuesday, July 22, 2008 at 6pm in the Erwin Community Center. Everyone is encouraged to attend.

NC League Centennial Conference will be October 12th-14th any of the Board Members who wish to attend were asked to please contact the office so reservations can be made.

Summer Salon will have a ribbon cutting on Friday, July 11, 2008 at 10AM. This is located at 100 East H. Street. Everyone is encouraged to attend.

REPORTS FROM BOARD OF COMMISSIONERS

Mayor Patsy Carson showed off the plaque from the NC. Steps Program. Everyone is very excited to get started and know that it will be a lot of hard work.

Commissioner William Corbett complimented on how nice the Erwin Cemetery looks, which is owned by the Erwin Lions Club.

Commissioner Randy Baker wanted to thank Officer Bill Morris for the action he took on the storm the other night. It was a big help. Also the staff for a job well done.

Commissioner Mark Whitman had a complaint about the grass problem on Raiford Road located across from 110 Raiford Road. Would like for it to be cleaned up. Also thanked Interim Town Manager for a job well done.

Commissioner Michael West thanked Interim Town Manager Pam Addison on a great job she is doing for the Town of Erwin. Also had a complaint on dogs running loose at 400 South 17th Street and the noise ordinance needed to be enforced. The Gospel at the Gazebo will be Friday, July 11, 2008 at 6PM.

ADJOURNMENT

Commissioner Randy Baker made a motion to adjourn at 9:05 P.M. and was seconded by Commissioner William Corbett. The Board voted 4 for and 2 absent (Commissioner Norma Ennis and Commissioner Frank Taylor).

MINUTES RECORDED AND TYPED BY CYNTHIA PATTERSON, DEPUTY CLERK

Deputy Town Clerk, Cynthia Patterson

Mayor Patsy M. Carson

