

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
NOVEMBER 6, 2008
REGULAR MEETING
ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Pro-tem Randy Baker presiding, held its regular meeting in the Town Hall on Thursday, November 6, 2008 at 7:00 P. M. in Erwin, North Carolina.

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

Town Manager Bryan Thompson, Town Clerk Pam Addison and Town Attorney Mac Hunter were present.

Mayor Patsy Carson was absent.

Mayor Pro-tem Baker called the meeting to order at 7:00 P. M.

Commissioner Taylor gave the invocation.

It was Town Clerk/ Assistant Finance Director Pamela Addison's final meeting before her retirement and she was given the honor of leading those present in the Pledge of Allegiance.

AGENDA ADJUSTMENTS

Commissioner Ennis made a motion to remove **New Business Item A**. Presentation of Town Financial Statement; add **New Business Item J**. Resolution 2008/08 Commemorating Veterans Day and add under **Item 11** Closed Session for the purpose of Personnel and Discussion with Attorney. Commissioner Corbett seconded the motion. The Board voted unanimously.

CONSENT ITEMS

Commissioner Ennis made a motion to approve Item (A) Approval of Minutes for 10/02/08 Board of Commissioners Regular Meeting. Commissioner Whitman seconded the motion. The Board voted unanimously.

PUBLIC HEARING

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

ZONING AMENDMENT Z09-02

The property is located along Hwy 421 and the Lowe's Access Rd. The back portion of this property is zoned Rural and the front portion of this property (which abuts Hwy 421) is zoned B2. The applicant Michael Jackson is requesting an amendment to the current Zoning Map to classify the back portion of this property to B2 in order for the entire parcel to be the same

MINUTES OF NOVEMBER 6, 2008 CONTINUED

zoning district classification. All adjacent property owners were notified, property was posted, and the Public Hearing was advertised two consecutive weeks in a local newspaper.

Mayor Pro Tem Baker requested that anyone wanting to speak in favor of Town of Erwin Zoning Amendment Application #Z09-02 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 Pro Tem Baker requested that anyone wanting to speak against Town of Erwin Zoning Amendment Application #Z09-02 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 Corbett made a motion to close the Public Hearing at 7:07 P.M. Commissioner West seconded the motion. The Board voted unanimously.

NEW BUSINESS**CONSIDERATION OF APPOINTMENT TO PARK AND RECREATION ADVISORY BOARD**

There is currently one Park and Recreation Advisory position open. The following three individuals submitted applications to the Erwin Parks and Recreation Advisory Board:

Shannon Hodges, Erwin 8/04/2008
Jonathan Phillips, Erwin 8/13/2008
Sean Coats, Dunn 8/26/2008

The Advisory Board met on September 10, 2008 and all members recommend Shannon Hodges for the vacancy. All agreed that any of the three would be an asset to the Advisory Board; therefore their recommendation was based on the first application received.

Commissioner Taylor pointed out the application for appointment requires a sense of balance be considered when reviewing and accepting applications. Commission Taylor recommended staff continue to seek other applicants in order to meet this requirement.

Recreation Director Calvin Dickenson stated other positions will be available by the end of June and suggested the Board fill the open position tonight so he may be able to move forward with awaiting projects.

Commissioner Taylor was still reluctant to make an appointment and made a motion to table Consideration of Appointment to Park and Recreation Advisory Board until other applicants are given the opportunity to apply that will provide a more sense of balance among the Board. Commissioner Ennis seconded the motion. The Board voted 3 for and 2 against (Corbett, Whitman).

MINUTES OF NOVEMBER 6, 2008 CONTINUED**CONSIDERATION OF HOUSE CONDEMNATION RECOMMENDATIONS**

Town Code Enforcement Officer and Inspector Brian Lagana provided the Board photos of structures and copy of letters sent to property owners that have been found to be well below the Town Minimum Housing Code. The property owners were notified of the uninhabitable conditions of the structures and the fact that the structures are in violation of Town Code.

Staff requests the Board of Commissioners to take official action of condemnation in order to allow Staff to move forward with the removal of these structures.

922 South 13th Street; listed property owners as Robert Porters Heirs c/o Annie Porter identified as REID# 0027302 TAX PIN # 0597-40-1119.000.

vacant lot next to Blessed Restaurant; listed property owner as Lonnie Stargel; identified as of REID# 0031425 (See notes below) TAX PIN # 1507-24-4207.000
(The Property ID # includes 2 lots on this one parcel. The condemnation order is referring to the lot next to the Blessed and not the restaurant.)

1510 Denim Drive; listed as William W. Pope and Wife Peggy identified as REID# 058355 TAX PIN # 1507-21-6838.000.

205 Mason Dr.; listed as James Harrod identified as REID# 0031880 TAX PIN # 0597-50-8135.000

Margaret Lockamy; identified as REID# 0019686 TAX PIN # 0596-59-1388.000.

Mayor Protem Baker recommends Code Officer Brian Lagana seek bids for cost of demolition; requests the landfill tipping fees be waived (The County currently provides \$10,000.00 credit each year to the Town).

Mr. Lagana stated he has notified the property owners of hearing dates, but no-one showed up. Mr. Lagana said he posted one of the properties and the property owner stated he would not be making any improvements on the property.

The Board directed Mr. Lagana to meet all requirements before a Resolution is passed. All property owners must be notified, a hearing given and the property posted that it is condemned. At that time the Board will consider a Resolution for each condemnation. A 30 day waiting period is required to see if the owner files an injunction once the Board approves a Resolution.

Commissioner West asked if he would be out of order if he approached the property owners to find out their intent.

Town Attorney Hunter informed Commissioner West to be careful of how he approached the property owners, because they may use the conservation to delay the process.

No action was needed.

MINUTES OF NOVEMBER 6, 2008 CONTINUED**CONSIDERATION OF RESOLUTION 2008-09 FOR AUTHORIZED BANK SIGNATURES**

Commissioner Corbett made a motion to add Mayor Protem to the Resolution for authorized bank signatures. Commissioner Whitman seconded the motion. The Board voted unanimously.

Commissioner Corbett made a motion to approve the Resolution for authorizing Bryan Thompson, Debbie Chestnut, Mayor Protem Randy Baker and Mayor Carson as persons selected for the Town's signature cards. Commissioner Ennis seconded the motion. The Board voted unanimously.

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CONSIDERATION OF ZONING AMENDMENT APPLICATION Z09-02

The property is located along Hwy 421 and the Lowe's Access Rd. The back portion of this property is zoned Rural and the front portion of this property (which abuts Hwy 421) is zoned B2. The applicant Michael Jackson is requesting an amendment to the current Zoning Map to classify the back portion of this property to B2 in order for the entire parcel to be the same zoning district classification.

The Planning and Zoning Board recommends the approval of the request to amend the Zoning Map to reflect a change in zoning classification from Rural District to B2 of the back portion (and thus, the entire parcel) of the property with associated Harnett County PIN # 1507-53-6276.00.

Commissioner Whitman made a motion to approve Zoning Amendment Application Z09-02. Commissioner Ennis seconded the motion. The Board voted unanimously.

CONSIDERATION OF GRANT FOR RAMPS FOR TOWN SKATE PARK PROJECT

Town's Staff request the authorization to sign and submit a grant application to American Ramp Company Skate Park Grant Program. The grant is for the equipment slated to be purchased for the skate park. Should the Town be successful in its request for this grant, the Town may receive up to 25% of the funds raised for the skate park equipment.

Commissioner Taylor raised an issue about continuing to seek funding for Skate Park equipment while no progress in the last five years to provide bathroom facilities at the W.N. Porter Memorial Park.

After much discussion, Mayor Protem Baker and Commissioner Ennis agreed with Commissioner Taylor to see the W. N. Porter Park renovated as a first-class Park; but funding is not available until next years budget. Mayor Protem Baker said the application in question is not a grant but a discount provided by the vendor supplying the equipment for the Skate Park.

MINUTES OF NOVEMBER 6, 2008 CONTINUED

Commissioner Taylor made a motion to table authorization to sign and submit the American Ramp Skate Park Grant Application. Motion failed for lack of second.

Commissioner Whitman made a motion to approve authorization to sign and submit the American Ramp Skate Park Grant Application. Commissioner Corbett seconded the motion. The Board voted four for and 1 against (Taylor).

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DISCUSSION OF DESIGNATED SMOKING AREAS AT TOWN PARKS

The Erwin Parks and Recreation Department feels it is necessary to institute a new smoking policy for all parks. Listed below are reasons behind a new policy, but are not limited to:

- A. The proven health concerns of secondhand smoke, particularly to children.
- B. The impression that smoking in a public place can give to children.
- C. The waste of cigarette butts that make park areas unsightly and currently bring about 2-4 man-hours of work per week for department staff.

The policy would consist of designating specific park areas for smoking, but not eliminating smoking in total.

No action needed.

The Board of Commissioners was in agreement and suggested an Ordinance be drafted for consideration.

CONSIDERATION OF FINANCING BIDS FOR TOWN STREET SWEEPER

The 2008-09 operating budget allocates funds for the purpose of financing the purchase of a street sweeper. The Capital Improvement Plan (CPI) calls for a three year financing approach to purchase.

Staff conducted an informal bidding process.

Name of Bank	3 Yr Lease Purchase	4 Year Lease Purchase
SunTrust	3.40%	3.60%
BB&T	3.35%	3.35%
First Federal	3.92%	3.92%

Town Staff recommend adopting Resolution for financing the purchase of the street sweeper with BB&T Government Finance.

Commissioner Taylor made a motion to adopt the Resolution for financing the purchase of a street sweeper with BB & T @ 3.35% with term of 3 years. Commissioner West seconded the motion. The Board voted unanimously.

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MINUTES OF NOVEMBER 6, 2008 CONTINUED**CONSIDERATION OF TOWN POLICE DEPARTMENT K-9 PROGRAM**

Police Chief Howell has expressed an interest in the possibility of instituting a K-9 program with the Town Police Department. As noted in a letter from Chief Howell, the majority of the required equipment is already in the possession of Chief Howell. The vet bill, card decals, and food for the K-9 seem to be the only other expenses not yet covered. Chief Howell also provided the Board with a proposed K-9 Policy and Procedure document.

Town Staff believes if the program is approached properly and persistently utilized once implemented it could be strongly beneficial to the Town.

Commissioner Ennis was reluctant to support a K-9 Program. Ms. Ennis stated the Harnett County provides this program and the Town did not need this extra expense.

Commissioner Corbett agreed and noted the vet's bills can be expensive.

Commissioner Whitman made a motion to table K-9 Program until more information is provided for expense involved and was seconded by Commissioner Ennis. The Board voted unanimously.

TOWN OF ERWIN RESOLUTION 2008-08 COMMEMORATING VETERANS DAY

Mayor Protem Baker inquired if any of his fellow Board members other than Commissioner Whitman served in the Military. Mayor Baker requested Commissioner Whitman come forward and read the Resolution Commemorating Veterans Day.

Commissioner Corbett made a motion to adopt the Resolution Commemorating Veterans Day. Commissioner West seconded the motion. The Board voted unanimously.

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PUBLIC COMMENT

No-one came forward.

MANAGERS REPORT

Partf Project is moving forward; still waiting to get all permits in hand and should be ready to bid out soon. Cold weather may delay grading.

St Matthews Rd will be paved in about two weeks. The road and parking lot for Zacky's will be done at the same time.

The water tank will be removed by the end of December or the 1st of January.

All the Swift Assets should be finalized this week.

The lights on Hwy 421 corridor is schedule to move full throttle in mid November and completed by the end of December.

MINUTES OF NOVEMBER 6, 2008 CONTINUED

Preparations are being made to begin Planning of renovations at W. N. Porter Memorial Park. A steering committee will be organized and volunteers will be needed. The community is encouraged to get involved with the process.

Mayor Carson will be having surgery on November 13, 2008. Remember her in your prayers.

The Green Challenge Plaque Level 1 was received at the North Carolina League Conference in October. Town Manager Brian Thompson presented the plaque to Mayor Protem Baker on behalf of the Town.

Mayor Protem thanks staff and hopes the Town continues to receive the other levels as it shows the extra effort given by staff to receive this award.

STAFF REPORTS**TOWN CLERK/ ASSISTANT FINANCE OFFICER
ANNOUNCEMENT OF UPCOMING RETIREMENT ON DEC 1, 2008**

Pamela S. Addison will be retiring effective Dec1, 2008 and requests the Board accept her resignation from her position of Town Clerk/ Assistant Finance Officer.

All of the Board of Commissioners gave many uplifting comments to Mrs. Addison for her service she has given to the Town.

Commissioner Whitman made a motion to accept the letter of resignation from Mrs. Addison and seconded by Commissioner Corbett. With hesitation the Board voted unanimously.

Attached is a Letter from Mrs. Addison for Minutes and file.

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GOVERNING BOARDS COMMENTS

Commissioner Frank Taylor stated he was thankful to be a member of the NCBEMO (North Carolina Black Elected Municipal Officials). A scholarship was given by this organization to Towanda M Terry of Erwin at the North Carolina League Conference in Charlotte NC. . The scholarship was given in memory of the late Mayor Protem W. N. Porter of The Town of Erwin.

CLOSED SESSION

Commissioner Whitman made a motion to go into Closed Session at 8: 20 P M for the purpose of discussion of personnel and to consult with Attorney (§143-318.11). Commissioner Corbett seconded the motion. The Board voted unanimously.

Commissioner Ennis made a motion at 10:08 to reconvene to the Regular Session and was seconded by Commissioner Corbett. The Board voted unanimously.

MINUTES OF NOVEMBER 6, 2008 CONTINUED**ADJOURNMENT**

Commissioner Whitman made a motion to adjourn at P.M. 10:10 and was seconded by Commissioner Ennis seconded the motion. The Board voted unanimously.

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

Town Clerk, Pamela S. Addison

Mayor Pro Tem Randy Baker