

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
OCTOBER 4, 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, October 4, 2007 at 7:00 P. M. in Erwin, North Carolina.

Board members present were Commissioners Norma Ennis, Ricky Blackmon, and Randy Baker.

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

Commissioner Brian Gurkin, W. N. Porter and Mark Whitman were absent.

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

Commissioner Ennis gave the invocation.

Those present recited the Pledge of Allegiance.

Commissioner Blackmon made a motion to move Item C. Town of Erwin Proclamations Honoring Susan H. Davis and Phyllis F. Dunn from Consent Agenda. Commissioner Ennis seconded the motion. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

CONSENT ITEMS

Commissioner Blackmon made a motion to approve Item (A). Approval of Minutes for 9/06/2007 Board of Commissioners Regular Meeting and Item (D). Town of Erwin Budget Amendment # 07/08-01 (Christmas Lights). Commissioner Baker seconded the motion. The Board voted 3 for and 3 absent (Porter, Gurkin and Whitman).

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Item B. was excluded because there were no Taxes Refunds/ Releases to be considered.

**TOWN OF ERWIN PROCLAMATIONS HONORING SUSAN H. DAVIS
& PHYLLIS F. DUNN**

Mayor Patsy Carson read the proclamations honoring Phyllis F. Dunn and Susan H. Davis. Mayor Carson presented a plaque with the Proclamation honoring the ladies for their service in the community and involvement with the Miss Erwin Beauty Pageants.

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The Erwin Area Chamber of Commerce will be placing an engraved brick on the Centennial Walking Trail in honor of Mrs. Dunn and Mrs. Davis.

Mrs. Dunn recognized June Jackson, Stephanie Wood, Kenny Davis, Vic and Peggy Fowler for being their support members. Mrs. Dunn said the Miss Erwin Harnett County Pageant is no

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more. Mrs. Dunn and Mrs. Davis have elected to explore other interest. Mrs. Dunn said her and Mrs. Davis were in the playpen together and have spend many long hours working and preparing for the pageants. Mrs. Dunn thanked the Town of Erwin and the Erwin Chamber of Commerce for all the support that was given to the program. The young ladies have truly benefited from their support. Many have gone on to finish their education and are making their mark in society. Mrs. Dunn said Debbie Chestnut was an invaluable support and was an amazing person to work with. Mrs. Dunn said Erwin is where she was born and she continues to live in Erwin but works out of Town. Mr. Dunn said she will always love and support the Town of Erwin.

PUBLIC HEARING**TOWN OF ERWIN ZONING AMENDMENT APPLICATION #Z07-02**

Commissioner Ennis made a motion to open the Public Hearing at 7:07 P.M. for Zoning Amendment Application # Z07-02 and was seconded by Commissioner Blackmon. The Board voted 3 for and 3 absent (Porter, Gurkin and Whitman).

Johnson Tilghman, applicant submitted a zoning amendment application to rezone the remainder of property he owns (Harnett Co PIN # 1507-23-2726.000) from that of its current Town of Erwin Zoning classification of R-6 to that of B-2. Currently, the frontage of this property extending back 200 feet is zoned B-2. The Erwin P & Z Board after holding its public hearing on this matter on 9/01/2007 submitted a favorable recommendation to the Board of Commissioners.

Mayor Carson requested that anyone wanting to speak in favor of Town of Erwin Zoning Amendment Application #Z07-02 to come forward, state their name and address for the record prior to beginning presentation of statement.

Applicant, Johnson Tilghman, 384 Tilghman Rd, Coats NC came forward and spoke in favor of Zoning Amendment #Z07-02. Mr. Tilghman pointed out the property is located on Highway 421 and there is an existing building on adjacent property that is zoned B-2. The back of the property is zoned R-6 and interferes with growth. Rezoning the property from R-6 to B-2 will make it more uniform.

Commissioner Blackmon made a motion to close the Public Hearing at 7:13 PM and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin and Whitman).

TOWN OF ERWIN CONDITIONAL USE PERMIT APPLICATION # CU07-05

Commissioner Blackmon made a motion to open the Public Hearing at 7:14 P.M. for Conditional Use Application #CU07-05 and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin and Whitman).

Applicant, Dean Lucas of Dean's Towing and Recovery was granted a Conditional Use Permit by the Board in July of 2001 for the establishment of an Automotive Oriented Business at 2302 Erwin Road. Mr. Lucas now wishes to expand his operation at this location by adding to the physical structures. The 2001 Conditional Use Permit granted by the Board was based upon a

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submitted, specific site plan. On September 17th the P & Z Board forwards a favorable recommendation to the Board.

Mayor Carson requested anyone wanting to speak in favor of Town of Erwin Conditional Use Application # CU07-05 to come forward, take the oath, state their name and address for the record prior to beginning presentation of statement.

Dean Lucas, 11547 NC 55 East, Dunn came forward and took the oath. Mr. Lucas said he had already made a few changes, but he was unaware that he could not make the changes before seeking approval. Mr. Lucas requested to add a motorized gate similar to a garage door. Mr. Lucas provided photographs of the new construction. Mr. Lucas apologized again to the Board for making the changes before receiving a go-ahead from the Board. Mr. Lucas said he had researched different ways to provide his business with a motorized gate and this was the most inexpensive options that provided screening from the public of stored cars on the lot. The addition blends in with the existing building, and is working wonderfully for the drivers and office staff. The gate enables the staff to open the gate without leaving the office unattended. Mr. Lucas said he only tried to make improvements to the business in order to make it look better.

Commissioner Blackmon made a motion to close the Public Hearing at 7:20 PM and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

NEW BUSINESS**CONSIDERATION OF TOWN OF ERWIN ZONING AMENDMENT APPLICATION
#Z07-02**

Commissioner Blackmon made a motion to approve the rezoning on Highway 421 property from R-6 to B-2 Harnett Co PIN # 1507-23-2726.000 and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

Commissioner Blackmon suggested the Board may want to consider rezoning the remaining properties zoned R-6 on Highway 421 to B-2.

**CONSIDERATION OF TOWN OF ERWIN CONDITIONAL USE PERMIT
APPLICATION # CU07-05**

Mr. Lucas stated he was told by a previous inspector that he would not need permits for shelters that were not enclosed. All the buildings added started as open shelters and were later enclosed. Mr. Lucas said he does a lot of storage of wrecked cars and the insurance companies require a shelter or canvas cover. It is more affordable to provide the shelter instead of continuously buying tarps to cover the cars. Some Police Departments require a secure building to store vehicles until they are able to complete their investigations.

Commissioner Baker was concerned about the huge wreckers blocking the vision of residents pulling out onto Denim Dr.

MINUTES OF OCTOBER 4, 2007 CONTINUED

Mr. Lucas had no knowledge of any complaints from residents in the area and assured the Board he would not block the intersection. . Mr. Lucas said he recently rented the metal building and the property along Prince Street so he could park the vehicles next to his business.

Commissioner Baker made a motion to approve the revised site plan and was seconded by Commissioner Blackmon. Mr. Lucas was instructed to secure all required permits for shelters and other structures built since permitted in 2001. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

DISCUSSION OF TOWN OF ERWIN RETIREE HEALTH INSURANCE POLICY

The Board of Commissioners previously requested information be gathered and discuss modification to the Town's current policy for Retiree Health Insurance. The Maps Group provided a recommendation and Town's staff provided several other local governments' policies for the Boards review. Town Manager Alan Thornton said this is a component to help retain our good employees and attract qualified employees when needed.

Commissioner Blackmon was in favor of providing the insurance for employees who receive full Local Government Employee's retirement, are at least 55 years old, and have a minimum of 15 years service with the Town of Erwin. The employee may continue individual coverage on the group health insurance plan at no charge until age 65, or they become eligible for Medicare (whichever occurs first). This benefit would apply, regardless of age, if the employee has 30 years of service with the Town of Erwin.

Commissioner Baker agreed and said this is a great tool to recruit a more seasoned employee and to reward employees who have stayed with the Town.

The Board was in favor but was reluctant to vote without the three absent Board members being present.

Commissioner Blackmon made a motion to table the issue until the next meeting and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

**CONSIDERATION OF ERWIN BUSINESS COMPLEX FIRE SUPPRESSION
SYSTEM WATER SUPPLY PROPOSAL**

A proposal was submitted to the Town from the Erwin Business Complex pertaining to the supply of water to their fire suppression system. The Erwin Business Complex wishes to repair jockey pumps at the Complex near J. Street and connect the fire suppression system of the Business Complex to the Harnett County water system. The Business Complex also request that the Town continues with the current arrangement of the Town of Erwin personnel fill and monitor the elevated storage tank on a daily basis and remain responsible for all associated insurance and operation and maintenance expense required on the tank and dedicated supply line leading up to the property of the Business Complex until around 2/28/2008.

Again, the Board members were reluctant to vote without the three absent Board members being present; but agreed they were willing to call a special meeting if necessary.

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Norman Avery, with the Erwin Business Complex stated he was on hold until he hears from the Board's decision. Mr. Avery stated delaying the decision another month would change the completion date of 2/28/2008 as written in the proposal to a later date.

Commissioner Blackmon made a motion to table the proposal until the majority of the Board is present. Commissioner Ennis seconded the motion. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

CONSIDERATION OF MEMORANDRUM OF AGREEMENT BETWEEN THE TOWN OF ERWIN AND THE NCDOT

The Agreement will insure the Town's reimbursement from FEMA when services are provided to remove vegetative debris from the public right-of-way on State secondary roads within the Town of Erwin in the event of a declared disaster such as a hurricane or tornado. Examples of State secondary roads in Erwin include Masonic, Old Post, Old Wire, Warren Rd and others.

Commissioner Blackmon made a motion to accept the Agreement between Town of Erwin and NCDOT and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

(Pages 7202 A-C)

CONSIDERATION OF MASTER SERVICES CONTRACT WITH PROGRESS ENERGY

The Board will consider a Master Service Contract from Progress Energy. This Contract is necessary for Progress Energy to technically perform any service to the Town.

The Town has agreed to allow Progress Energy to provide decorative lighting downtown and also provide repairs to the Parks & Recreation lighting. The Master Service contract will allow Progress Energy to provide service and invoice jobs as necessary. The contract will include the lights on Highway 421, Town Hall, Downtown and Parks & Recreation Department.

Commissioner Blackmon made a motion to accept the Master Services Contract with Progress Energy and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

(Pages 7202- D)

CONSIDERATION OF EAST ERWIN DRAINAGE STUDY

W K Dickson Engineering Services and the Board of Commissioners met in a Workshop on September 26 and discussed the potential project assisting with Storm Water Drainage issues in East Erwin. A Presentation explaining their proposal and scope of service was provided to the Board.

At the workshop Town Manager Alan Thornton requested (Task 6) Ordinance review and update of the Land Management and Storm Management be added to Scope of Services. The Ordinance review and update of Land Management and Storm Management will manage practices of land development and assist in the prevention of flooding problems in the future.

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Again the Board members were reluctant to vote without majority of the Board members present; but agreed this is something the Town intends to accomplish, but wanted to discuss cost of Task 6 with other Board members.

Commissioner Baker made a motion to table the proposal until the next meeting. Commissioner Blackmon seconded the motion. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

OTHER BUSINESS

Denim Days Saturday- Food, Fun Fellowship.

Paving Priorities for Street Paving approved to request RFP.

Police Department will be purchasing a vehicle for the School Resource Officer. The Board was encouraged to check out a vehicle in the parking lot at Town Hall that is being considered.

Mayor Carson made mention of spring problems in Forest Hills Subdivision that is causing flooding. Mayor Carson said she wanted Public Works Director Mark Byrd and Town Manager Alan Thornton to visit the area with her next week.

Mayor Carson requested Public Works Director Mark Byrd to place a Children Playing Sign at the intersection of I St and 11th Street.

Town Manager Alan Thornton said Town's Staff is evaluating installing stop signs at several intersections around Town. This will require amending the Town' Ordinance.

The Board is invited to Harnett County's Industry Appreciation Day October 18, 2007.

Attorney Mac Hunter said slow progress was being made on acquiring sidewalks and parking lot downtown. Attorney Hunter said he continues to work with the County on the sale of Swift Assets.

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 8:40 P.M. and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Porter, Gurkin, and Whitman).

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

Town Clerk, Pamela S. Addison

Mayor Patsy M. Carson