

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
SEPTEMBER 6, 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, September 6, 2007 at 7:00 P. M. in Erwin, North Carolina.

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

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

Commissioner Brian Gurkin was 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.

CONSENT ITEMS

Commissioner Blackmon made a motion to approve Item (A). Approval of Minutes for 8/02/2007 Board of Commissioners Regular Meeting and Item (B). Town of Erwin Tax Releases/Refunds. Commissioner Whitman seconded the motion. The Board voted 5 for and 1 absent (Gurkin).

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OLD BUSINESS

TOWN OF ERWIN CONDITIONAL USE APPLICATION # CU07-02

The Board of Commissioners tabled Conditional Use application # CU07-02 for the establishment of a used car sales lot at 823 South 13th Street. The Public Hearing was held in July. The Board requested that the applicant provide a detailed site plan showing spaces provided for cars that will be sold and parking spaces for customers. Since the last meeting Mr. Lindsey has his modified his request to display the vehicles for sale in front of the business and not within the fenced area as previously requested. Mr. Lindsey provided the Board with a satisfactory site plan which exhibited parking for the used cars displayed for sale. The site plan provided spaces for five (5) vehicles for sale and additional parking spaces for customer parking. The applicant is seeking an amendment to an existing Conditional Use Permit which was issued several years ago for operation of an Auto Repair Shop. Mr. Lindsey wishes to add the sale of used vehicles to the existing business.

MINUTES OF SEPTEMBER 6, 2007 CONTINUED**PUBLIC HEARING****TOWN OF ERWIN CONDITIONAL USE PERMIT APPLICATION #CU07-02**

Commissioner Ennis made a motion to reopen the Public Hearing at 7:15 P.M. for Conditional Use Application # CU07-02 and was seconded by Commissioner Whitman. The Board voted 5 for and 1 absent (Gurkin).

Mayor Carson requested that Terrell Lindsey come forward, take the oath, state his name and address for the record prior to beginning presentation of statement.

Terrell Lindsey, applicant came forward and took the oath. Mr. Lindsey stated he was advised by Town's staff of all the requirements he must meet in order to comply with the Town's Ordinance.

Commissioner Baker was concerned about the required parking spaces needed. The ordinance states 4 parking spaces are required for each bay.

Mr. Lindsey said it would be impossible to provide that amount of extra parking spaces.

Town Attorney Mac Hunter said a grandfathered in business cannot be added to or taken away, but added that he was unsure if a conditional use may be added without the rules being changed.

Commissioner Porter said he wanted to do what is needed and allow Mr. Lindsey to add the sale of vehicles to his business.

Commissioner Porter made a motion to close the Public Hearing at 7:28 P.M. for Town of Erwin Conditional Use Permit Application #CU07-02 and was seconded by Commissioner Blackmon. The Board voted 5 for and 1 absent (Gurkin).

CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION #CU07-02

After much discussion, the Board concluded that the property is large enough to provide adequate customer parking spaces. The Board directed Mr. Lindsey to revise his site plan to accommodate the additional parking spaces needed.

Commissioner Whitman made a motion to approve the Conditional Use Permit Application # CU07-02 with the condition the applicant provides additional parking spaces in the rear of his establishment and was seconded by Commissioner Blackmon. The Board voted 5 for and 1 absent (Gurkin).

MINUTES OF SEPTEMBER 6, 2007 CONTINUED

NEW BUSINESS

DISCUSSION OF ENGINEERING PROPOSALS TO ADDRESS EAST ERWIN DRAINAGE ISSUES

Town Manager Alan Thornton provided the Board with (3) proposals to address the drainage problems in East Erwin. The proposals were from W.K. Dickson, Stewart Engineering and Greenhorne Engineers.

The Board requested a workshop be scheduled with the Engineers from W. K. Dickson. The Board wanted more details of the scope of work with an estimated time line of each task and final completion.

CONSIDERATION OF TOWN OF ERWIN 2007 PAVING PRIORITIES

Town Manager Alan Thornton presented a Proposed Paving List for 2007. The list included paving the parking lot at Town Hall and the Library. Mr. Thornton said Powell bill funds will be used for all the street paving but could not be used for the parking lots.

Commissioner Whitman requested Holmes Street be included on the list.

Commissioner Baker requested the shoulder of St. Matthews Rd be reworked.

Town Manager Thornton said the area on St. Matthews Rd. needs greater attention and should be a separate project. This is a major connector and will require more than resurfacing.

Mayor Carson requested Public Works Director Mark Byrd to check on the streets in East Erwin and around Mason Rd.

Commissioner Ennis requested 16th Street that leads to the Erwin Park be considered for resurfacing.

The Board of Commissioners decided to review the list and bring others to the workshop for further discussion and revise the paving list.

DISCUSSION OF MUNICIPAL COMPLEX DECORATIVE LIGHTING PLANS

Tom Underhill with Progress Energy addressed the Board with suggestions of how they would be able to help the Town with decorative lighting at the Municipal Complex and the Library. Mr. Underhill provided brochures of what the lights will look like. The Mitchell Top Hat is the style of light downtown on the walkway. Mr. Underhill said he would like to carry the same theme throughout Town. Mr. Underhill said the Complex does not need as much lighting as going down the trail. The Mitchell with Ribs, Band and Medallions will go with what was used downtown and will bring the light upwards. Mr. Underhill suggested using the Metal Halide (white). Two proposals were presented for consideration. If the Town chooses to pay the upfront cost (one time fee), this will eliminate the \$3.50 charge per pole each month.

MINUTES OF SEPTEMBER 6, 2007 CONTINUED

The contract will be for a ten year period. Mr. Underhill suggested installing the lights before the new pavement is completed in the parking lots.

Commissioner Blackmon suggested providing lights behind the Community Building.

Commissioner Baker made a motion to accept Progress Energy's proposal to provide thirteen lights (13) of the Metal Halide (white) lights and was seconded by Commissioner Blackmon. The Board voted 5 for and 1 absent (Gurkin).

Tom Underhill gave a brief update of the Highway 421 lighting. Mr. Underhill said a lot of things have changed on Highway 421 since last year. The plans from last year show poles where new driveways have been added. The plans will be revised to shift the poles to the left or right of the driveways. The project should be completed by the end of the year.

OTHER BUSINESS

Mayor Carson requested the driveway behind the Community Center be included in the paving list.

REPORTS FROM TOWN MANAGER AND STAFF

The 2007 NCLM Annual Conference will be in Fayetteville NC Oct. 14th-16th.

Denim Day is Oct 6, 2007.

Water restrictions began Tuesday Sept. 4, 2007.

The new Christmas lights arrived and will be stored at Public Works.

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 8:10 P.M. and was seconded by Commissioner Whitman. The Board voted 5 for and 1 absent (Gurkin).

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

Town Clerk, Pamela S. Addison

Mayor Patsy M. Carson