

**ERWIN BOARD OF COMMISSIONERS  
MEETING MINUTES  
MAY 3, 2012  
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, May 3, 2012 at 7:00 P. M. in Erwin, North Carolina.

Board Members present were: Commissioners Frank Taylor, William Turnage, Frankie Ballard, and Ricky Blackmon.

Board Members absent were: Commissioner Norma Ennis and Randy Baker.

Town Manager Bryan Thompson and Town Clerk Cynthia Patterson were present.

Town Attorney Mac Hunter was present.

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

Commissioner Taylor gave the invocation.

Those present recited the Pledge of Allegiance.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Commissioner Blackmon made a motion to add Item D under Consent Items National Day of Prayer and was seconded by Commissioner Ballard. The Board voted unanimously.

**CONSENT ITEMS**

Commissioner Ballard made a motion to approve **(Item A)** Approval of Regular Minutes on 04/12/2012 and Special Called Minutes on March 29, 2012, **(Item B)** Proclamation Recognizing May 2012 Erwin Citizen of the Month, **(Item C)** Proclamation of Recognition of Mrs. Judy McLean and **(Item D)** National Day of Prayer and was seconded by Commissioner Turnage. The Board voted unanimously.

**MINUTES OF MAY 3, 2012 CONTINUED****PRESENTATION OF PROCLAMATION TO CHIEF DEPUTY SECRETARY NC  
DEPT. OF PUBLIC SAFETY, DIVISION OF JUVENILE JUSTICE MRS. LINDA W.  
HAYES FOR CITIZEN OF THE MONTH**

Mayor Carson presented a plaque to Chief Deputy Secretary NC Dept. of Public Safety Division of Juvenile Justice Mrs. Linda W. Hayes for Citizen of the Month. Mrs. Hayes is extremely active in her local community. Mrs. Hayes has received a number of national, state and local awards for her committed service to youth.

**PRESENTATION OF PROCLAMATION OF RECOGNITION OF  
MRS. JUDY MCLEAN**

Mayor Carson presented a plaque to Mrs. Judy McLean for her many years of service to the Girl Scouts. Mrs. McLean has been involved in Girl Scouts for over 63 years.

**PUBLIC HEARING**

Commissioner Turnage made a motion to open the Public Hearing at 7:13pm and was seconded by Commissioner Ballard. The Board voted unanimously.

**TEXT AMENDMENT: M-1 INDUSTRIAL PERMITTED TABLE OF USES, ITEM 8  
“OFFICES FOR BUSINESS AND PROFESSIONAL PURPOSES**

Harnett County Planner Landon Chandler informed the Board that this is a Text Amendment to the Town of Erwin Zoning Ordinance. The applicant is present and has also submitted a formal letter to the Board of their request. This would be a text amendment to Section 9-4031.2 Permitted Principal Uses and Structures within the M-1 Industrial District. The applicant request #8 Offices for business and professional purposes.

Mayor Carson asked that if anyone was interested to speak in favor for this proposed Text Amendment, to please come forward and state your name, address and oath.

Mr. and Mrs. Torrey Moton and Alexander Bass Owners and Directors of United Rehabilitations Services, came forward and addressed the Board. Mr. Moton stated that they provide outpatient psychiatric services to adults with severe and persistent mental illnesses. This service addresses the needs of this population including ongoing education regarding psychiatric symptom management, enhancement of social supports, assistance in finding alternative housing, linkage to educational resources, assistance with obtaining employment, referrals to resources for physical health, and assistance with obtaining financial entitlements.

**MINUTES OF MAY 3, 2012 CONTINUED**

Mayor Carson asked that if anyone was interested to speak against the proposed Text Amendment, to please come forward and state your name, address and oath.

No one came forward.

Commissioner Taylor made a motion to close the Public Hearing at 7:15pm and was seconded by Commissioner Blackmon. The Board voted unanimously.

Commissioner Blackmon made a motion to accept the Text Amendment for M-1 Industrial Permitted Table of Uses, Item 8 Offices for business and professional purposes and was seconded by Commissioner Turnage. The Board voted unanimously.

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**OLD BUSINESS****CONSIDERATION OF TEXT AMENDMENT: EQUINE RELATED TEXT AMENDMENTS INCLUDING DEFINITIONS, GENERAL PROVISIONS, PARKING, AND DISTRICT TABLE OF USES**

Harnett County Planner Landon Chandler informed the Board that this is an item that was tabled at the Board of Commissioners meeting. Staff took all the recommendations from the Board and applied them to the language that we had. Upon recommendation, we moved a lot of the Use Regulations out of the Definitions and moved them into the appropriate area. Staff has added Equine Stables for Commercial and Private Use under the general section. Increased the acreage to one (1) acre per animal as well as made the additions to the fencing regulations to mirror that of your accessory structures in each respective zoning district. Staff also moved permitted uses to conditional uses both R-15 and RD.

After no discussion from the Board, Commissioner Turnage made a motion to accept the Equine related text amendment including definitions, general provisions, parking, and district table of uses and was seconded by Commissioner Blackmon. The Board voted unanimously.

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**CONSIDERATION OF TOWN OF ERWIN STREETLIGHT REQUEST POLICY**

Town Manager Bryan Thompson informed the Board that the last time this item was brought up there were no major alterations suggested for the actual language however there was a request to have some standard identified and illustrated in the text of the proposed documents.

Commissioner Blackmon made a motion to approve the Town of Erwin Streetlight Request Policy and was seconded by Commissioner Turnage. The Board voted unanimously.

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**MINUTES OF MAY 3, 2012 CONTINUED****NEW BUSINESS****UPDATE AND CONSIDERATION OF 2006 HARNETT COUNTY AND TOWN OF ERWIN WATER AND WASTEWATER TRANSFER AGREEMENT: SECTION SIXTEEN EXTENSION OF INFRASTRUCTURE ALONG U.S. HIGHWAY 421**

Town Manager Bryan Thompson informed the Board that the agreement between the County and Town of Erwin regarding Town water and sewer system transfer to the County contained language where the County agreed to extend water and sewer services along certain areas on 421 within the Town. This portion of the agreement states that the County would make the specified improvements within 5 years of the date of execution of the agreement. The agreement was executed in January 2006. The 5 year marker has since passed, yet the improvements have not been installed.

After some discussion, it was the Consensus of the Board to meet with the Director of Harnett County Public Utilities Steve Ward and see what their thoughts are and what their time line is and amend the contract with what is needed.

**UPDATE OF USDA RURAL DEVELOPMENT GRANT APPLICATION:  
ADDITIONAL COSTS**

Town Manager Bryan Thompson informed the Board that Staff received a call a couple weeks back to let us know that our application was not complete and needed more information concerning engineering. Staff contacted Withers and Ravenal to give us an estimated cost. The estimated increase to the budget is \$16,000 however we did not explore this whenever Staff first presented this to the Board. Staff did not anticipate there being any requirement for engineering for pouring asphalt and curb-n-guttering and planting bushes. If the Town was to be granted this money Rural Development would require us to have engineer drawings, bid the project and also administer the project. The original budget submitted to Rural Development included \$7,298.60 of reductions to the scope of work to bring the estimated cost down to an amount that would be covered by grant funds only.

Staff received a call today from USDA that we have been recommended, basically approved for the \$75,000 grant.

It was the Consensus of the Board to hold off in considering this item until all of the Board Members were present for discussion.

Mr. Thompson informed the Board that this can be put on the next Budget Workshop Agenda.

**MINUTES OF MAY 3, 2012 CONTINUED**

**CONSIDERATION OF TEXT AMENDMENT TO THE TOWN OF ERWIN CODE OF ORDINANCES: GOVERNMENT AND ADMINISTRATION, ARTICLE B, PLANNING BOARD, SECTION 2-7033 ORGANIZATION; RULES; MEETINGS; RECORDS**

At the April Planning Board meeting a member of the Board inquired if there was a way that would enable ETJ Members to vote on all issues as does the In Town Members. The Planning Board indicated to Staff that the Planning Board believes it would be of great benefit to enable ETJ Members to contribute freely in discussion and vote on all matters coming before the Board regardless if the matter is in town or out of town.

After some discussion, Commissioner Turnage made a motion to accept the Text Amendment to the Town of Erwin Code of Ordinances: Government and Administration, Article B, Planning Board, Section 2-7033 Organizations; Rules; Meetings; Records and was seconded by Commissioner Ballard. The Board voted 3 for, 1 against (Commissioner Taylor) and 2 absent (Commissioners Baker and Ennis).

**CONSIDERATION OF TEXT AMENDMENT TO THE TOWN OF ERWIN MUNICIPAL ANIMAL CONTROL ORDINANCE: SECTION XXIII KEEPING LIVESTOCK AND FOWL, PARAGRAPH A**

As the Board has considered and approved the text amendment within the Erwin Zoning Ordinance for the purpose of regulating equine-related uses, the Board may also consider amending the Animal Control Ordinance to remove language concerning the regulation of the same as the intent of these amendments is to regulate this use through land use regulations and not by the general code of the Town.

A Public Hearing was not required on this matter.

Commissioner Blackmon made a motion to accept the Text Amendment to the Town of Erwin Municipal Animal Control Ordinance: Section XXIII Keeping Livestock and Fowl, Paragraph A and was seconded by Commissioner Turnage. The Board voted unanimously.

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**CONSIDERATION OF TEXT AMENDMENT TO THE TOWN OF ERWIN CODE OF ORDINANCES: ARTICLE D, PEDDLING AND SOLICITING, SECTIONS 6-1041 THRU 6-1058**

Over the past year the Town has realized an increase in solicitors, peddlers, and panhandlers within the corporate limits of the Town. As a result, Staff has prepared language that amends the current language of the code to address these issues. This language provides for a greater scope of control with respect to such matters than does the current language of the Town Code.

**MINUTES OF MAY 3, 2012 CONTINUED**

Commissioner Turnage made a motion to accept the Text Amendment to the Town of Erwin Code of Ordinance: Article D, Peddling and Soliciting Sections 6-1041 thru 6-1058 and was seconded by Commissioner Ballard. The Board voted unanimously.

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**CONSIDERATION OF TEXT AMENDMENT TO THE TOWN OF ERWIN CODE OF ORDINANCES: ARTICLE B, FIRE PREVENTION AND HAZARDS, SECTION 3-2011 OPEN BURNING**

The Town has realized an increase in the frequency of burning activities within the corporate limits of the Town. In recognition of the potential threat to the general health and welfare of the community at large, has formed language for consideration of the Board for adoption into the Town Code in order to better regulate such activities.

Commissioner Blackmon made a motion to accept the Text Amendment to the Town of Erwin Code of Ordinances: Article B, Fire Prevention and Hazards, Section 3-2011 Open Burning and was seconded by Commissioner Ballard. The Board voted unanimously.

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**BUDGET AMENDMENT FOR POLICE DEPARTMENT GRANT**

The Town recently received word that the approximately \$10,000 grant that was applied for through the Police Dept. is awarded to the Town. The goal of Staff is to closeout this grant as soon as possible in order to keep such activities in the same fiscal year and in an effort to reduce the overall administration time associated with the grant due to continued reporting requirements so long as the grant is active.

Commissioner Turnage made a motion to accept the Budget Amendment for Police Department Grant and was seconded by Commissioner Ballard. The Board voted unanimously.

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**SCHEDULE BOARD OF COMMISSIONERS BUDGET WORKSHOP**

The Board of Commissioners set two (2) Workshops for the month of May. They are as follows.

Thursday, May 17, 2012 at 6pm  
Tuesday, May 29, 2012 at 6pm

**MINUTES OF MAY 3, 2012 CONTINUED****GOVERNING BODY COMMENTS**

Commissioner Taylor thanked everyone for coming to the meeting and being part of Erwin also thanked Staff for all the hard work that you do for the Town. The Beautification Committee has done a great job with beautifying the downtown area.

Commissioner Ballard thanked the Police Dept. on a job well done with the robbery at Dollar General. Also thanked Staff for the card to his wife during her time of sickness.

Commissioner Turnage thanked everyone for coming to the meeting and would like the citizens of Erwin to come and support the Town of Erwin. Also thanked Commissioner Blackmon and all of the Fire Dept. on the control burn in the Chicora Area. Let the Town Manager know of graffiti on a Welcome to Erwin sign located on Dunn Erwin Road.

Mayor Carson thanked everyone for coming to the meeting and let everyone know of the Mayor's Breakfast on Friday, May 4, 2012 at 8am in the Indigo Room.

**ADJOURNMENT**

Commissioner Turnage made a motion to adjourn at 7:55pm and was seconded by Commissioner Taylor. The Board voted unanimously.

**MINUTES RECORDED AND TYPED BY  
CYNTHIA B PATTERSON TOWN CLERK**

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**Patsy M. Carson,**  
Mayor

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**Cynthia B. Patterson, CMC**  
Town Clerk