

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
SEPTEMBER 6, 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, September 6, 2012 at 7:00 P. M. in Erwin, North Carolina.

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

Board Members absent were: Commissioner Norma Ennis.

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 Ballard made a motion to add under Consent Item E NC Governor's Highway Safety Program Local Government Resolution and was seconded by Commissioner Turnage. The Board voted unanimously.

CONSENT ITEMS

Commissioner Baker made a motion to approve **(Item A)** Approval of Regular Minutes on 08/02/2012 and Approval of Special Called Minutes on July 26, 2012 **(Item B)** Proclamation Recognizing September 2012 Erwin Citizen of the Month, **(Item C)** Proclamation recognizing 9/11 National Day of Service and Remembrance **(Item D)** Appointment and Oath of Deputy Town Clerk/Tax Collector: Star Bailey and **(Item E)** NC Governor's Highway Safety Program Local Government Resolution and was seconded by Commissioner Ballard. The Board voted unanimously.

MINUTES OF SEPTEMBER 6, 2012 CONTINUED**PRESENTATION OF PROCLAMATION TO MR. EDGAR MYERS
FOR CITIZEN OF THE MONTH**

Mayor Patsy Carson presented a plaque to Mr. Edgar Myers for September's Citizen of the Month. Mr. Myers was a Town of Erwin Commissioner from 1971 to 1977. Mr. Myers is an avid Farmer in Erwin and Johnston County. Mr. Myers has been a member of Neill S. Stewart Lodge #556 since 1964. Mr. Myers helped start Dunn Discount Drug in November 1999 with his son Ronnie Myers and he just helped open Myers Discount Pharmacy in Lillington with his daughters' Sue Byrd and Janet Freda in April 2012.

OLD BUSINESS**TEXT AMENDMENT: ELECTRONIC GAMING OPERATIONS**

Harnett County Planner Landon Chandler informed the Board that there were a couple of items that the Board wanted to address. Mr. Chandler stated that he had researched and reviewed previous minutes and everything we currently have remains mostly unchanged. The changes that needed to be added to the amendment were #12, 14, 15, and 16. This Text Amendment for Electronic Gaming Operations will be inserted in the minutes.

Commissioner Blackmon made a motion to approve the Text Amendment for Electronic Gaming Operations and was seconded by Commissioner Baker. The Board voted 4 for, 1 against (Commissioner Taylor) and 1 absent (Commissioner Ennis).

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**CONSIDERATION OF 2012-2013 FEE SCHEDULE AMENDMENT:
ELECTRONIC GAMING OPERATIONS**

Mr. Thompson stated that in looking to the Court ruling and the limited guidance offered by the same, and in consideration of the proximity to the City of Dunn and the shared market for such operations, Staff believes Erwin would be justified in charging the same fees as that of the City of Dunn. Whichever amount (per business or per machine, or both) the Board decides, the established amount for each business and each machine would be an annually recurring fee unless the Board decides otherwise.

Commissioner Turnage made a motion to the 2012-2013 Fee Schedule to add Electronic Gaming Operations: Business \$2,000 per year and per Machine \$1,000 per year and was seconded by Commissioner Blackmon. The Board voted unanimously.

MINUTES OF SEPTEMBER 6, 2012 CONTINUED**NEW BUSINESS****CONSIDERATION OF REVISED LANGUAGE OF SECTION 5 OF THE PROPOSED
HARNETT COUNTY/TOWN OF ERWIN INSPECTIONS AGREEMENT**

Mr. Thompson stated that at the last meeting there were some concerns with Paragraph 5 in the Building Inspections Agreement dealing with legal provisions and representations of funding the same. Staff has had conversations with Town Attorney Mac Hunter and he recommends the following:

OPTION 1:

In the event a claim, suit, or cause of action is made against any party hereto for loss or damage resulting from the enforceability, constitutionality, any negligent act or omission, of the parties hereto Harnett County agrees to defend and hold the Town of Erwin, their agents, employees and servants harmless and indemnified from and against any loss, costs, damages, expenses, and/or liability with respect to such claim, suit, or cause of action to the extent allowable by law.

After some discussion, Commissioner Baker made a motion to Table the Revised Language of Section 5 of the Proposed Harnett County/Town of Erwin Inspections Agreement until both legal parties can come back and have a Consensus to the Board and was seconded by Commissioner Taylor. The Board voted unanimously.

**CONSIDERATION OF NC LEAGUE OF MUNICIPALITIES PERSONNEL SERVICE
MEMORANDUM OF AGREEMENT FOR SCOPE OF SERVICES AS DEFINED IN
ATTACHMENT "A" OF THE SAME**

Mr. Thompson stated that based on the last conversation the Board had on this, the Board wanted to look at the organization as a whole. Do a study that looks at the scope of work that you would have presented by the MAPS Group and also take a look at the efficiency of the Police Dept. and try to get a recommendation and adjustments.

The proposed cost associated with these services is \$6,975.00, which include all expenses relating to those items identified in Attachment "A" of this agreement and as herein summarized.

Commissioner Ballard a motion to accept the NC League of Municipalities Personnel Service Memorandum of Agreement for Scope of Services and was seconded by Commissioner Blackmon. The Board voted unanimously.

MINUTES OF SEPTEMBER 6, 2012 CONTINUED**CONSIDERATION OF POLICE DEPARTMENT EFFICIENCY AND EFFECTIVENESS STUDY SERVICE AGREEMENT**

Mr. Thompson stated that this proposal's scope seeks to identify the extent to which the functions of the Police Department, its structure and practices are effective and efficient in keeping with best practices and accepted standards for the law enforcement profession. This study is designed to take place prior to the NCLM study in order to make more effective use of both services. Mr. Gregg Jarvis is the consultant that will be handling this study. The price scheduling is broken out to in trips, lodging, and mileage at which a high estimation will be between \$5,000 to \$6,000.

Commissioner Blackmon made a motion to approve the Police Department Efficiency and Effectiveness Study Service Agreement with the stipulation that the time projections will be more clearly defined with on-site and off-site and seconded by Commissioner Ballard. The Board voted unanimously.

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PUBLIC COMMENTS

Nancy Jackson, Erwin Chamber President, came forward and spoke to the Board. Mrs. Jackson wanted to let everyone know of the upcoming events with Denim Days.

Robert Gidron, Jr., 817 North 14th Street, Erwin, came forward and spoke to the Board. Mr. Gidron expressed concern with overgrown vines growing on the Street light poles, problems with grass not being cut, more lighting on North 14th Street, and also the Police Dept. need to patrol the W.N. Porter Park more often.

GOVERNING BOARD COMMENTS

Commissioner Turnage thanked everyone for coming to the meeting and also the Sewer Project at Chicora was going great, very pleased.

Commissioner Ballard asked about the status on SunTrust with doing Payroll and would like a Loan burning ceremony at the next Board Meeting.

Commissioner Taylor Congratulated Ms. Star Bailey on her achievement with Deputy Clerk/Tax Collector.

Mayor Carson thanked the Public Works Director on getting the Clock fixed at the Dunn/Erwin Rail Trail.

MINUTES OF SEPTEMBER 6, 2012 CONTINUED

ADJOURNMENT

Commissioner Baker made a motion to adjourn at 7:47pm and was seconded by Commissioner Ballard. The Board voted unanimously.

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

**Patsy Carson,
Mayor**

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