

ERWIN BOARD OF COMMISSIONERS
REGULAR MINUTES
MAY 2, 2013
ERWIN, NORTH CAROLINA

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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 2, 2013 at 7:00 P. M. in Erwin, North Carolina.

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

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

Interim Town Manager Pete Connet 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 Frank Taylor gave the invocation.

Those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Turnage made a motion to add under Consent Item G Resignation of Planning Board Member Edward Johnson and was seconded by Commissioner Ballard. The Board voted unanimously.

CONSENT ITEMS

Commissioner Taylor made a motion to approve **(Item A)** Approval of Regular Minutes on 04/04/13, **(Item B)** Continuation of Minutes from Regular Meeting on April 10th & 11th, 2013, **(Item C)** Recognizing May for Lyme Disease Awareness Month: Proclamation 2013-013, **(Item D)** Recognizing Domestic Violence: Proclamation 2013-014, **(Item E)** Supporting PARTF Funding: Resolution 2013-004, **(Item F)** Recognizing National Day of Prayer 2013: Proclamation 2013-015, **(Item G)** Resignation of Planning Board Member Edward Johnson and was seconded by Commissioner Turnage. The Board voted unanimously.

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PUBLIC HEARING**CONDITIONAL USE PERMIT FOR 201 E. JACKSON BLVD.
USED AUTO SALES DEALERSHIP
HARNETT COUNTY TAX PIN: 0597-76-2827.000**

Commissioner Taylor made a motion to open the Public Hearing at 7:01pm and was seconded by Commissioner Turnage. The Board voted unanimously.

Kathy Blake Planner took oath and presented to the Board. Ms. Blake stated that this is a Conditional Use Application CU-2013-001 to establish an auto sales dealership at 201 E. Jackson Blvd., Erwin, NC. The applicant is Michael R. Montgomery and the property owner is James Douglas West. The property is zoned B-2 and in that zoning district auto oriented business establishments are considered Conditional Uses. On the site plan provided by the applicant, he has included a condition that no cars will be stored or park beyond the existing pavement. At the Planning Board meeting, both the applicant and the property owner spoke in favor of this Conditional Use Application. The Planning Board voted in the affirmative on each of the Findings of Facts and they voted to recommend approval of the Findings of Facts and the Conditional Use Permit.

The applicant is present for any questions the Board may have.

Mayor Carson ask for anyone who would like to speak in favor of this Conditional Use Application for Used Auto Sales and Dealership to please come forward and state your name and oath.

The applicant, Michael Montgomery came forward and took oath. Mr. Montgomery stated that the site in question has been a used auto sales location in the past. There will be plenty of lighting and signage.

Mayor Carson ask for anyone who would like to speak against the Conditional Use Application for Used Auto Sales and Dealership to please come forward and state your name and oath.

No one came forward.

Commissioner Turnage made a motion to close the Public Hearing at 7:05pm and was seconded by Commissioner Blackmon. The Board voted unanimously.

Due to Commissioner Ballard having a Conflict of Interest and lack of 4/5 votes, Commissioner Blackmon made a motion to Table the Conditional Use Application for Used Auto Sales and Dealership and was seconded by Commissioner Turnage. The Board voted unanimously.

NEW BUSINESS**STREET LIGHT REQUEST FOR LIGHTS ON ST. MATTHEWS ROAD AT
BRYANT ROAD**

Mr. Connet informed the Board that several months ago we received a street light request from Mr. Robert Wellons for his duplex dwellings near its intersection with Bryant Road. The request was then turned over to Progress Energy to develop a lighting plan for this location. There will be three (3) lights on St. Matthews Road. The lights will be installed on existing poles and the monthly additional cost is \$39.49. As the development continues along St. Matthews, and new poles are set to serve the new units, additional light can be added to these poles.

Commissioner Turnage made a motion to approve the street light request for lights on St. Matthews Road at Bryant Road and was seconded by Commissioner Taylor. The Board voted unanimously.

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**FIRST AMENDMENT TO TOWN/COUNTY WATER AND WASTEWATER
AGREEMENT**

Mr. Connect informed the Board that back in 2006 the Town/County entered into the water and wastewater agreement with the sale of the system to the County. Following that the Town approached the County about reimbursement for Chicora Phase II Project for requesting a 100% of the cost of the project which according to all invoices is \$337,668.41.

In Section 16 of the original agreement, "Extension of Infrastructure along U.S. Highway 421" is being amended to change the five year requirement for installation, to installation of the infrastructure by the County in conjunction with individual infrastructure needs of potential industrial and commercial interests. The County is requesting release at this time until development occurs from that obligation. The language to be added is the following:

Paragraph 2 Section 16 EXTENSION OF INFRASTRUCTURE ALONGSIDE U.S. HIGHWAY 421. The parties agree that any future water and wastewater improvements alongside U.S. Highway 421 will be installed by County, at no cost to Town, if such improvements are deemed necessary by County in conjunction with the individual infrastructure needs of potential industrial and commercial interests.

Commissioner Blackmon made a motion to approve the First Amendment to Town/County Water and Wastewater Agreement and was seconded by Commissioner Turnage. The Board voted unanimously.

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MANAGER REPORT

Mr. Connet informed the Board that on Thursday, April 25th Commissioner Turnage and I looked at the location of these four (4) requests and noted the pole number and address closest to each location. Following our tour of the area, I have reviewed the Street Light policy and attempted to determine whether this should be treated as an “individual” request or a “neighborhood” request. Since there are no lights in the area and there are more than two lights being requested it should probably be treated as a “neighborhood” request, but not everyone wants lighting installed.

Also, there is the matter of the distance between each of the four requests with approximately 671 feet being the greatest distance between two of the four lights and approximately 305 feet being the least distance between two of these lights. The current policy tries to keep the light within 220 to 250 feet of each other. In all locations existing poles were to be used to install the lights.

Mr. Connet stated that due to the distance variations mentioned above, it is my recommendation that the Board treat these requests as “individual” street lighting requests and proceed with getting the proper forms signed by the individuals.

It was the Consensus of the Board to proceed as “Individual Request” for Street Lighting with Chicora Country Club.

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GOVERNING BOARD COMMENTS

Commissioner Taylor thanked everyone for coming out to the meeting and also thanked Public Works and Parks and Recreation on a great job they are doing.

Commissioner Blackmon wanted to ask to keep Carl Dean’s family in your thoughts and prayers. Mr. Dean died suddenly on Thursday from a Heart Attack.

Commissioner Turnage thanked everyone for coming out to the meeting also commended Ms. Blake for a fine report. It was really impressive. He is also looking for answers dealing with junk cars on 307 & 405 Mason Drive.

Mayor Carson informed every one of the Mayor’s Breakfast on Friday, May 3rd at 8am.

RECESSED

Commissioner Taylor made a motion to recess until Thursday, May 9th at 5pm and was seconded by Commissioner Turnage. The Board voted unanimously.

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

**Patsy Carson,
Mayor**

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