

ERWIN BOARD OF COMMISSIONERS  
REGULAR MINUTES  
AUGUST 7, 2014  
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, August 7, 2014 at 7:00 P. M. in Erwin, North Carolina.

Board Members present were: Commissioners William Turnage, Randy Baker, Frankie Ballard, Thurman Whitman, and Alvester McKoy.

Board Members absent were: Commissioner Ricky Blackmon.

Town Manager Richard Douglas was absent.

Town Clerk Cynthia Patterson and Town Attorney Mac Hunter were present.

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

Commissioner McKoy gave the invocation.

Those present recited the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Commissioner Turnage made a motion to add under New Business Item 9B Erwin Historical Society Member Si Harrington to speak on behalf of the Erwin Depot and was seconded by Commissioner Ballard. The Board voted 5 for and 1 absent (Commissioner Blackmon).

### **CONSENT ITEMS**

Commissioner Turnage made a motion to approve **(Item A)** Approval of Regular Minutes of 06/05/14, **(Item B)** Financial Report Summary for May 2014, **(Item C)** Financial Report Summary for June 2014, **(Item D)** Consideration for Reappointment for Planning Board Members Terry Wicker and Richard West, **(Item E)** Harnett County Library Board Appointment and **(Item F)** House Moving Bond for Family Friendly Ventures LLC 419 Lucas Road and was seconded by Commissioner Whitman. The Board voted 5 for and 1 absent (Commissioner Blackmon).

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### **RECOGNITION OF CITIZEN OF THE MONTH**

Commissioner Baker presented the plaque to Mrs. Nancy S. Jackson for the Citizen of the Month for August 2014. Mrs. Jackson has been a Life Long Resident of Erwin and has worked tirelessly to give back to where she was raised. She opened Jackson Hewitt Tax Service in January of 1994 which has been in business for over 20 years; opened Attic Additions Storage in 1995 with her husband Michael and partners Pat and Barbara Cameron and recently partnered with her husband Michael and children Michael Jr., and Melinda in Zaxby's of Erwin and Lillington, Jackson's Restaurant and The Indigo Room

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**MINUTES CONTINUED FROM AUGUST 7, 2014****RECOGNITION OF THE 10-U GIRLS SOFTBALL TEAM**

Athletic Director Dustin Parker presented a plaque to the 10-U Girls Softball Team. They exhibited the tenacity and determination that would lead them on to several victories which included beating Angier 7-1 to win the Tar Heel 10U Softball District Championship.

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**RECOGNITION OF THE 12-U GIRLS SOFTBALL TEAM**

Athletic Director Dustin Parker presented a plaque to the 12-U Girls Softball Team. Throughout the season the 2014 12U Girls Softball Team exhibited the tenacity and determination that would lead them on to several victories which included finishing second in the Tar Heel District Tournament.

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**PUBLIC HEARING**

Commissioner Turnage made a motion to open the public hearing at 7:13pm and was seconded by Commissioner McKoy. The Board voted 5 for and 1 absent (Commissioner Blackmon).

**CU-2014-004 90 EDNA JOHN CT., CONDITIONAL USE PERMIT APPLICATION  
FOR A CLASS A MANUFACTURED HOME IN R-D**

Erwin Planner Kathy Blake informed the Board that this will be a quasi-judicial hearing and all persons presenting evidence must swear or affirm their testimony.

Town Planner Kathy Blake and Applicant Christalene Tapia came forward and stated the oath.

Ms. Christalene Tapia submitted a request for a conditional use permit for a “class A” manufactured home at 90 Edna John Ct., Harnett County PIN # 1507-38-8424.000. Ms. Tapia is the property owner of this 0.65 acre parcel. The parcel is zoned R-D (Rural District). The *Town of Erwin Zoning Ordinance, Section 4024.4 Conditional Uses* for the R-D (Rural District) lists “Manufactured ‘Class A Homes’ on individual lots”. Per the submitted site plan, a 24’ x 56’ (1,344 SF) manufactured home shall be placed on this parcel.

**Staff Comments:**

- The Land Use Plan 2014 designates this parcel as “Low Intensity” and states the following:
  - Low Intensity land use classification is intended primarily for agricultural purposes and large lot single-family residential development.
- Per the Zoning Ordinance, 2 parking spaces are required.
  - Sufficient space has been designated on the site plan.

- This parcel is also known as Lot 15 of Walt's Crossing III. The subdivision was designed for double-wide manufactured homes over 1,200 SF.
- Public water and sewer are not available.

## **MINUTES CONTINUED FROM AUGUST 7, 2014**

### **Planning Board Recommendation:**

At their regular meeting on July 21, 2014, Planning Board reviewed and voted in the affirmative on each Finding of Fact individually for CU-2014-004. The Planning Board then voted to accept all the Findings of Fact and to recommend for approval CU-2014-004, Tapia, 90 Edna John Ct., PIN # 1507-38-8424.000, for a "Class A" Manufactured Home in R-D.

### **Staff Recommendation:**

Staff recommends approval of CU-2014-004, Tapia, 90 Edna John Ct., PIN # 1507-38-8424.000, for a "Class A" Manufactured Home in R-D.

Mayor Carson asked if anyone would like to speak in favor of the proposed Conditional Use Permit to please come forward.

No one came forward.

Mayor Carson asked if anyone would like to speak against the proposed Conditional Use Permit to please come forward.

No one came forward

Commissioner Ballard made a motion to close the public hearing at 7:17pm and was seconded by Commissioner Turnage. The Board voted 5 for and 1 absent (Commissioner Blackmon).

Commissioner Baker made a motion that the proposed conditional use application meets all the Findings of Fact in the Affirmative, the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans and approve the CU-2014-004 90 Edna John Ct PIN#1507-38-8424.000 for a Class A Manufactured Home in R-D as recommended by the Planning Board with no additional conditions and was seconded by Commissioner Turnage. The Board voted 5 for and 1 absent (Commissioner Blackmon).

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## **OLD BUSINESS**

### **209 EAST H STREET PROPERTY SALE (UPSET BID PROCESS)**

At the June 2014 regular meeting, the Board of Commissioners approved an upset bid process for the sale of 209 East H Street, a property given to the Town and the house demolished due to it being considered dilapidated under the Town's minimum housing standards. Larry Morgan (207 E. H Street) and Donald Suggs (211 E. H Street), property owners adjacent to

209 E. H Street, have offered to purchase this property for \$6,000. After advertising the upset bid process as required under state law, the Town received no additional offers beyond the initial \$6,000 offer from Mr. Morgan and Mr. Suggs.

#### **MINUTES CONTINUED FROM AUGUST 7, 2014**

The current zoning classification for this lot is central business, and according to Harnett County's GIS records, the assessed land value for this lot is \$20,190. The Town has spent approximately \$15,000 on demolition, asbestos, and legal costs on this property. Although the offer to purchase is less than what the Town has spent on the property, staff recommends that this offer be accepted. By disposing of the property, the Town will no longer need to maintain it, and the funds received from the sale can be used for other minimum housing abatement projects.

Commissioner Turnage made a motion to approve the 209 East H Street Property Sale and was seconded by Commissioner Ballard. The Board voted 5 for and 1 absent (Commissioner Blackmon).

#### **SOUTH 14<sup>TH</sup> STREET PARKING RESTRICTION ORDINANCE AMENDMENT**

Town Planner Kathy Blake informed the Board that after further review and discussion, staff recommends a Town ordinance amendment to remove the west side of 14<sup>th</sup> Street between C and B Streets from a list of streets with parking restrictions (attached for your consideration). This proposed ordinance amendment is in response to an ongoing parking issue adjacent to the Erwin Church of God and follows a request by the Board of Commissioners to address this issue. Alternatively and as presented at the June regular meeting, the Board may wish to consider an ordinance amendment that restricts parking on this section of street at all times. However, staff has studied this section of street and finds no public safety-related or other reason to restrict parking, especially when compared to on-street parking adjacent to other churches in town.

Commissioner Baker expressed concern and asked staff if there was any other incident that is identical to this case. Staff stated not that they are aware of.

After some discussion from the Board, it was the Consensus of the Board to schedule a public hearing for the next regular meeting which is Thursday, September 4, 2014 at 7pm to hear the citizens input on this matter.

#### **NEW BUSINESS**

##### **FY 2014-15 STREET RESURFACING RECOMMENDATIONS**

Town Engineer Bill Dreitzler and informed the Board that the following sections of streets be resurfaced, using Powell Bill funds designated in the Town's 2014-2015 operating budget, and will request approval to advertise for bids:

- South 10<sup>th</sup> Street (adjacent to Erwin Elementary School and including designated parking spaces), from Denim Drive to D Street (projected cost of \$80,000)
- East J Street, from 10<sup>th</sup> Street to 13<sup>th</sup> Street (projected cost of \$43,500)
- Godwin Drive (projected cost of \$31,500)

**MINUTES CONTINUED FROM AUGUST 7, 2014**

These recommendations are based on the review by the Town Engineer, pavement condition survey, and staff review and discussion, and a detailed memorandum is attached for your consideration. The total cost for the resurfacing of these identified street sections is \$155,000, compared to a total of \$180,000 budgeted for Powell Bill contracted services for FY2014-2015. The Town receives approximately \$140,000 each year in Powell Bill funding, so Powell Bill reserves are included in this budgeted amount.

Commissioner Turnage suggested in holding off in paving South 10<sup>th</sup> Street until next year and pave downtown H. Street which is on the list of streets to be paved. It would make Erwin look so much better with the addition of the parking lot being redone as well.

Commissioner Baker stated we first need to address the worst streets that are in the worst condition and offer the most hazards to the citizens that travel these roads. I don't care what street it is.

After some more discussion from the Board, Commissioner Turnage made a motion to table the FY2014-15 Street Resurfacing Recommendations until the next regular meeting which will be Thursday, September 4, 2014 and was seconded by Commissioner McKoy. The Board voted 5 for and 1 absent (Commissioner Blackmon).

**SI HARRINGTON TO SPEAK ON BEHALF OF THE ERWIN DEPOT**

Mr. Si Harrington informed the Board that Dawn Neighbors who is the grant writer at Campbell University is a volunteer with our Depot Project has informed us that investigating grants available for the depot has discovered they do not like pass through. In other words one organization get money and then passing it to another organization for some kind of project you will need to be officially a part of that project or they will not consider you. Mr. Harrington stated that what he is asking for tonight if the Board would consider making the Erwin Historical Society an official co-sponsor or partner in the depot project so when we go to these organizations we can say that we are officially a part of the project. We have no intentions to jump in and run the project we are just trying to get money for the project.

Commissioner Baker stated that the Board would need a resolution drafted to adopt partnership between the Erwin Historical Society and the Town.

It was the Consensus of The Board to direct the Town Clerk to prepare a resolution to make the Erwin Historical Society a partner with the Town in the depot project. The resolution will be up for approval at the next regular meeting which will be held on Thursday, September 4, 2014.

## **MINUTES CONTINUED FROM AUGUST 7, 2014**

### **ATTORNEY REPORT**

Mr. Hunter informed the Board on the following:

Museum Matter-----the manager gave him instructions to deliver to our attorney who's pending the suit on the museum matter and did so. He can report that the information was delivered to the plaintiffs' attorney. The feeling received was that the plaintiff's attorney is not opposed to this and felt like this is something we could work out. Mr. Hunter also stated that he was speaking generally here because this is a legal matter and will not go in detail of what we are doing. Trust that the Board knows what he is doing.

Mobile Home Burn-----have talked with the lady who is the god parent or guardian of the two children who inherited Felecia's property. She has given us permission to draw up the documents to begin the process of removing the mobile home. She has assured me that her father owns the mobile home and has done a bill of sale for signature. Once this is signed the Town of Erwin will own the mobile home and will be done with this problem.

### **PUBLIC COMMENT**

Bill Schuh of Masonic Road, Erwin, came forward and addressed the Board. Mr. Schuh expressed concern with this Town deteriorating. Our planning/zoning department is not doing their job. She works under the town manager and he is not doing his job, he is doing only selective enforcement. Mr. Schuh has tried to bring business along Hwy 421 and was told that not until Hwy 421 is cleaned up. Also expressed concern with the progress of the parking lot on Denim Drive, that he could not believe it's taking so long.

### **GOVERNING BODY COMMENTS**

Commissioner McKoy thanked the Public Works Department for cleaning up the yard adjacent from Public Works. It looks so much better. Voiced concern with the traffic on West M. Street and asked the Police Chief for assistance in this matter. Expressed concern with the visibility at the intersection of West N/North 13<sup>th</sup> Street with a pine tree. The Public Works Director informed the Board that his department has looked at this matter and is getting prices for the tree to be removed.

Commissioner Whitman thanked Public Works for doing a good job on 17<sup>th</sup> Street.

**MINUTES CONTINUED FROM AUGUST 7, 2014**

Commissioner Baker informed the Board that he echo some of the remarks that Mr. Bill Schuh made concerning Hwy 421. He would like for the Board to somehow schedule a visual session where we can get together and meet with Town Staff on the 421 overlay to echo comments from the land use plan. Would love to have a program to begin like a community enhancement program. Every quarter the departments get together and put together some type of departmental project where we interact with the citizens. For example, the Parks and Recreation team up with the Police Department get some golf carts and go out and have sessions for everyone where we are getting more involved with the community and adding to our quality of life for our citizens.

Commissioner Turnage thanked everyone for coming and mentioned that he went to see former Commissioner Norma Ennis. Asked everyone to sign cards that he had to let former Commissioner Norma Ennis and Police Officer Ralph Kerley know that we are thinking of them.

Mayor Carson wanted everyone to keep her in your thoughts and prayers.

Greta Grayton of Denim Drive was given permission to speak to the Board. Ms. Grayton asked about a shelter for the elderly in Town other than Triton High School. Many elderly cannot go that far for shelter and would like something closer by. Also would like information distributed to the citizens of what to do and where to go in case of emergencies. Was told the Staff would contact Harnett County Fire Marshall Gary Pope about this matter.

**ADJOURNMENT**

Commissioner Turnage made a motion to adjourn at 8:26pm and was seconded by Commissioner Baker. 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