

ERWIN BOARD OF COMMISSIONERS
REGULAR MINUTES
MAY 7, 2015
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 7, 2015 at 7:00 P. M. in Erwin, North Carolina.

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

Board Members absent were: Commissioner Alvester McKoy.

Town Manager Richard Douglas, 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 Randy Baker gave the invocation.

Those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Baker made a motion to amend the agenda with the following:

Add a Closed Session pursuant the General Statute 143-318.11a3 for the purpose of Attorney/Client Privilege and Litigation after the presentation of the Citizen of the Month and be reflected as 4A on the agenda and was seconded by Commissioner Whitman. **Motion Unanimously Approved.**

Commissioner Blackmon made a motion to amend the agenda with the following:

Move Consent Item 3B Contract with Harnett County on Computer Support Services to New Business 6F and was seconded by Commissioner Baker. **Motion Unanimously Approved.**

Commissioner Turnage made a motion to approve the agenda with changes and was seconded by Commissioner Ballard. **Motion Unanimously Approved.**

CONSENT ITEMS

Commissioner Baker made a motion to approve (**Item A**) Approval of Regular Minutes of 04/02/15, (**Item C**) Financial Report Summary for March 2015, (**Item D**) Audit Contract and (**Item E**) Engineering Retainer Agreement Extension and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

MINUTES CONTINUED FROM MAY 7, 2015

A copy of the Financial Report Summary, Audit Contract and Engineering Retainer Agreement Extension is incorporated into these minutes as Attachment #1

PRESENTATION OF THE MAY'S CITIZEN OF THE MONTH

Mayor Carson presented a plaque to Mr. Eric Dziedzic for the May's Citizen of the Month. Mr. Dziedzic moved to Erwin in 1966. While he was in school he began working by mowing lawns and delivering the Daily Record to half of Erwin. He now works for Southeastern Transformer as a Logistics Specialist and has been with them for over 30 years.

A copy of the Proclamation for May's Citizen of the Month is incorporated into these minutes as Attachment #2

CLOSED SESSION

Commissioner Turnage made a motion to go into Closed Session at 7:06pm Pursuant to General Statute 143-318.11(a)(3) for the Purpose of Discussing Matters Concerning Attorney/Client Privileges and Litigation and was seconded by Commissioner Blackmon. **Motion Unanimously Approved.**

RECONVENE

Commissioner Turnage made a motion to go back into regular session at 7:45pm and was seconded by Commissioner Baker. **Motion Unanimously Approved.**

PUBLIC HEARING

Commissioner Ballard made a motion to go into public hearing at 7:45pm and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

CU-2015-003 W. JACKSON BLVD, TRUCK SALES LOT

Planner Kathy Blake informed the Board and audience that this would be a hearing for a conditional use application and would be a quasi-judicial hearing and all persons presenting evidence must swear or affirm their testimony.

Planner Kathy Blake, applicant Phillip Stewart and Owner Gail Brown came forward and stated the oath.

MINUTES CONTINUED FROM MAY 7, 2015

Mr. Phillip Stewart, of Stewart Motors, submitted an application for a conditional use permit for a used commercial truck dealership in B-2 at 103 W Jackson Blvd., Harnett County PIN **0597-68-0294.000**. The property owners of this 2.57 acre parcel are Stanley Brown and Gail Brown. The parcel is zoned B-2 (Highway Business). According to the Harnett County tax appraisal card, it appears the modular unit is personal property. The building is approximately 638 SF and it has been vacant for many years.

Mr. Stewart's application states the following conditions:

1. Used commercial truck dealership
2. Sales only
3. No service
4. 15-25 vehicles
5. 1-2 employees
6. No vehicle storage

Planning Board Recommendations:

At their April 20th regular meeting, the Planning Board voted unanimously on each as follows:

1. To recommend that the proposed conditional use application meets all the Finding of Facts in the affirmative, and
2. To recommend that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans, and
3. To recommend the approval of CU-2015-003, Stewart, for a used commercial truck dealership with 15-25 vehicles, sales only, no service, no storage, and with 1-2 employees in B-2 at 103 W. Jackson Blvd. with additional conditions, summarized as:
 - a. Landscaping for "designated entrance corridor"
 - b. Comments/conditions from other agencies
 - c. Customer parking curb stops for at least 6 parking spaces.
 - d. Up-to-date skirting for office building foundation

CU-2015-003 - Staff and Planning Board proposed additional conditions

| | Conditions Proposed | Staff proposed additional conditions that would appear to allow for affirmative Finding of Facts | Planning Board Action |
|---|---|---|-----------------------------------|
| 1 | Middle driveway not indicated on applicant's drawing | Recommend blocking the 35' middle driveway between ditches by using required short fence with rope, i.e. like 2301 Erwin Rd. recently did. | Did not recommend low rope fence. |
| 2 | "Designated entrance corridor" – US 421 aka Jackson Blvd. | Recommend "designated entrance corridor" landscaping on both sides of "80" dirt driveway shown per NCDOT, which will be a 36' paved driveway. | Recommended |
| 3 | <u>Comments/conditions from other agencies:</u> | <p>a. Harnett County Public Utilities – States that the property owner/applicant should show the "tap location, RPZ and sizes" on the site plan.</p> <p>b. NCDOT – Driveway application was submitted. NCDOT staff states it is approving a 36' paved</p> | Recommended. |

| | | | |
|---|--|---|--|
| | | <p>driveway, not 80’.</p> <p>c. Harnett County Fire Marshal – States that the applicant/property owner needs “...to ensure that the driveway and access to the property is an all-weather surface that will support the imposed loads of emergency apparatus. This is per NC Fire Prevention Code (2012) Section 503.2.3.”</p> <p>d. Harnett County Central Permitting, building permits and inspections – If the electric service is disconnected, the applicant would be required to apply for zoning and trades permits so that an inspection could be scheduled and the power turned back on by the power company. If there are to be any building modifications, appropriate zoning and trades permits would need to be obtained by the applicant.</p> | |
| 4 | Parking – display area | <p>a. Install curb stops and/or paint pavement for appropriate parking spaces for commercial trucks for a maximum of 25 vehicles.</p> <p>b. Recommend curb stops along edge of “display” area pavement adjacent with E. Jackson Blvd.</p> | <p>a. Removed this proposed condition.</p> <p>b. Not available at Planning Board meeting.</p> |
| 5 | Parking – customer area | Install 6 curb stops for customer parking spaces. Each space shall be a minimum of 8’ wide and 20’ long. | Recommended. |
| 6 | Office building skirting around foundation | Recommend that a masonry foundation be installed in place of the existing metal skirting that is broken and fallen into disrepair. | Recommend that “an up-to-date skirting” be installed in place of the existing metal skirting that is broken and fallen into disrepair. |

Mayor Carson asked if anyone would like to speak in favor of the conditional use application to please come forward.

Applicant Phillip Stewart came forward and addressed the Board. Mr. Stewart stated that he was not aware of they were still suggesting putting stops all along the right of way. To be honest, he does not see the purpose of that. The pavement goes up to the ditch line. Would really don’t see what this would accomplish. The curb stops in front of the building, don’t have a problem with that were the parking spaces are. Closing off the little driveway with a chain or something, if that’s an issue that’s not a big deal. The masonry foundation would be a big deal, think the Planning Board recommended just replacing the skirting. The only place that the skirting is broken is in the back and the owner has already got that scheduled to be replaced anyway.

MINUTES CONTINUED FROM MAY 7, 2015

Mr. Stewart also informed the Board that he will not use the area where there is an old foundation of the previous building. The pavement part is about 9ft wide so we will clean this part up but not really use that area just use the pavement part, more than enough to use right now.

Mr. Stewart stated that this location will be strictly sales lot only and will use the existing trailer on the lot now as our office. The owner has already replaced the windows however for the time being are covered up with boards and will also paint all the railing, pressure wash everything, new storm doors will be installed and new shutters. Will be redoing the landscaping that is already there.

Mayor Carson asked if anyone would like to speak against the conditional use application to please come forward.

No one came forward.

Commissioner Blackmon made a motion to close the public hearing at 8:12pm and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

The Board then approved the Findings of Facts as follows:

Commissioner Baker made a motion **1.)** The use requested is listed among the conditional uses in the district for which application is made. Yes in the affirmative that this criterion has been met per Section 36-274 of the Zoning Ordinance and was seconded by Commissioner Blackmon. The motion was unanimously approved.

Commissioner Baker made a motion **2.)** The requested use is essential or desirable to the public convenience or welfare and as stated by the applicant, he intends to clean the current site and make it presentable and was seconded by Commissioner Blackmon. The motion was unanimously approved.

Commissioner Turnage made a motion **3.)** The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare and was seconded by Commissioner Baker. The motion was unanimously approved.

Commissioner Baker made a motion **4.)** The requested use will be in conformity with the Land Development Plan. It appears that this criterion has been met. The Land Use Plan appears to show this parcel as "High Intensity Development" and high intensity includes auto-oriented development and was seconded by Commissioner Blackmon. The motion was unanimously approved.

Commissioner Turnage made a motion **5.)** Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided and was seconded by Commissioner Whitman. The motion was unanimously approved.

MINUTES CONTINUED FROM MAY 7, 2015

Commissioner Baker made a motion 6.) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. NCDOT states that a driveway permit is required for this use and was seconded by Commissioner Turnage. The motion was unanimously approved.

Commissioner Baker made a motion 7.) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board. The applicant is responsible for contacting any necessary Harnett County Departments and/or any State or Federal agencies. Commissioner Baker would like to also add to the conditions the recommended concerns of the driveway, that there will be some type of shielding be required enforcing that the driveway needs to be closed would it be vegetative buffering some type of barrier be placed at the driveway as recommended by the Planning Board and also all the current underpinning be replaced with up to date and moderate underpinning and also curb stops installed for all customer parking in front of business and was seconded by Commissioner Ballard. **Motion Unanimously Approved.**

Commissioner Baker made a motion that the proposed conditional use application meets all the Findings of Facts in the affirmative and was seconded by Commissioner Blackmon. **Motion Unanimously Approved.**

Commissioner Blackmon made a motion that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans and was seconded by Commissioner Baker. **Motion Unanimously Approved.**

Commissioner Ballard made a motion to approve the CU-2015-003 Stewart for a used commercial truck dealership with 15-25 vehicles, sales only, no service, no storage, and with 1-2 employees in B-2 at 103 W. Jackson Blvd and was seconded by Commissioner Turnage. **Motion Unanimously Approved.**

A copy of the Staff's Memo and Conditional Use Application is incorporated into these minutes as Attachment #3

PUBLIC HEARING

Commissioner Baker made a motion to go into public hearing at 8:19pm and was seconded by Commissioner Turnage. Motion Unanimously Approved.

CU-2015-004 204 E. JACKSON BLVD, NEW & USED TIRE SALES

Planner Kathy Blake informed the Board and audience that this would be a hearing for a conditional use application and would be a quasi-judicial hearing and all persons presenting evidence must swear or affirm their testimony.

Planner Kathy Blake and applicant Denny Laureano came forward and stated the oath.

MINUTES CONTINUED FROM MAY 7, 2015

Mr. Laureano submitted an application for a conditional use permit for a used and new tire business in B-2 at 204 E. Jackson Blvd. (Harnett County PIN 0597-76-7956.000). The property owner of record of this 15,970 SF parcel is Prime M B Ventures LLC. The parcel is zoned B-2 (Highway Business).

Harnett County tax records note the whole building as having 3,920SF. Staff has been told the building is currently divided into 3 or 4 units.

Mr. Laureano's application states the following conditions:

1. New and used tire sales
2. No outdoor display
3. Change tires on existing concrete

Staff Comments:

- There is an existing conditional use application for a tire sales business but the Board of Commissioners minutes concerning that approval include the tires being change inside the building and that no tires would be stored outside.
 - A new application is required because Mr. Laureano states one of his conditions is the changing tires on the existing concrete, which is outside the building.
- The drawing included by the applicant is insufficient per the conditional use application directions provided to all applicants.
- Staff has taken time to research the site, other mapping and pictorial sources, and documents to try to provide pertinent information for addressing the finding of facts for a conditional use application.
- "Designated entrance corridor" – US 421, aka Jackson Blvd.
 - Per the Harnett County GIS, it appears the existing parking lot is within this area with 5 curb stops.
 - The unpaved area between the ditch and the paved area appears to be in the NCDOT right-of-way.
- Per the landscaping regulation amendment adopted February 5, 2015, staff interprets the ordinance to require an on-site Type A landscape buffer between the rear of the building and the residential home that is adjacent to the north. It appears to be approximately 120' along the rear property line and an approximate width of 17-18 feet.
- Travel patterns have not been shown.
- No additional site lighting has been proposed by the applicant.
- A detailed staff report is attached.

Planning Board Recommendations:

At their April 20th regular meeting, the Planning Board voted unanimously on each as follows:

4. To recommend that the proposed conditional use application meets all the Finding of Facts in the Affirmative, and
5. To recommend that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans, and

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6. To recommend the approval of CU-2015-004, Laureano, for a tire sales business (indoors) and outdoor installation of tire on concrete pad in B-2 at 204 E Jackson Blvd. in B-2 with additional conditions, summarized as:
- a. No outdoor storage of any kind to include no “temporary storage containers”.

CU-2015-004 – Staff and Planning Board proposed additional conditions

| | Conditions Proposed | Staff proposed additional conditions that would appear to allow for affirmative Finding of Facts | Planning Board Action |
|---|--|---|--|
| 1 | Buffer between dissimilar adjacent land use – residential vs. nonresidential | <ol style="list-style-type: none"> a. Recommend the plan be labeled to show the area between the rear of the building and the rear property line is a Type A buffer area, therefore, no additional structures and no storage b. Recommend the installation of landscaping per Type A planning requirements from the side property line to 5’ beyond the garage door (approximately 42-45 linear feet), the width of the building to the fence or 20’ wide, whichever is less. Approximately 2 trees and 8 shrubs. | <ol style="list-style-type: none"> a. Voted to not include this proposed condition. b. Voted to not include this proposed condition. |
| 2 | Outdoor temporary storage containers | No outdoor storage of any kind to include no “temporary storage containers”. | Recommended. |

Mayor Carson asked if anyone would like to speak in favor of the conditional use application to please come forward.

Denny Laureano came forward and addressed the Board. Mr. Laureano stated that the tires will be taken off on the 12x12 concrete pad and will do the work inside. He stated that he does not have room inside the building to do this kind of work. In talking with the Fire Marshall they decided it was best to remove the tires outside on the concrete pad due to the fact it would only leave a foot to work around the car. Anything could happen, so it was decided that by doing the work outside would be the safest place. No shelter will be added. He has access to the entire length of building for storage of tires.

Mr. Laureano also informed the board that hours of business would be seven (7) days a week including Sunday’s. He stated that by workings 7 days a week would not be a problem with his neighbors.

Mayor Carson asked if anyone would like to speak against the conditional use application to please come forward.

William Schuh of 102 Masonic Road, Erwin came forward and stated the oath and addressed the board. Mr. Schuh stated that he was concerned with the fact that we have had trouble in

MINUTES CONTINUED FROM MAY 7, 2015

that area before with conditional uses and felt they are not followed up. Mr. Schuh feels like something needs to be in placed where the conditional use is followed up and enforced.

Commissioner Turnage made a motion to close the public hearing at 8:43pm and was seconded by Commissioner Ballard. **Motion Unanimously Approved.**

The Board then approved the Findings of Facts as follows:

Commissioner Blackmon made a motion **1.)** The use requested is listed among the conditional uses in the district for which application is made and was seconded by Commissioner Turnage. Motion Unanimously Approved.

Commissioner Turnage made a motion **2.)** The requested use is desirable to the public convenience or welfare and was seconded by Commissioner Blackmon. Motion Unanimously Approved.

Commissioner Baker made a motion **3.)** The requested use will impair the integrity or character of the surrounding or adjoining districts, and be detrimental to the health, morals, or welfare as stated in the testimony with 7 days of the week operation and working on vehicles outside of enclosed area and from the history of this board it was to contain all automotive work inside of the proposed building and Commissioner Baker could not recollect there would be any outdoor auto oriented work allowed and was seconded by Commissioner Blackmon. Motion Unanimously Approved.

Planner Kathy Blake informed the board that with this finding of fact being in the negative that this conditional use request is denied.

NEW BUSINESS

REQUEST FOR A PUBLIC HEARING: ZONING TEXT AMENDMENT, TIME LIMITATION FOR CERTIFICATES OF ZONING COMPLIANCE

Planner Kathy Blake informed the board for a request from staff to set a public hearing date to consider the proposed zoning text amendment case # ZT-2015-002, *Zoning Text Amendment to Article XX, Section 36-579. – Certificate of zoning compliance and building permit required. by adding (d) to define a time limitation for certificates of zoning compliance.*

Ms. Blake stated that she had recently talked with someone who had a zoning permit from 2009 and was still valid and this raised a concern due to the fact that other places have time limitations. In using a model for the Town of Erwin, Ms. Blake used the text from Harnett County Unified Development Ordinance.

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Staff recommends that **Section 36-579. – Certificate of zoning compliance and building permit required.** be amended to include time expirations for certificate of zoning compliance permits.

Add to **Sec. 36-579. Certificate of zoning compliance and building permit required.**

(d) If the work described in any zoning compliance permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. If after commencement, the work is discontinued for any period of 180 days, the permit shall immediately expire and further work as described in the expired permit shall not proceed unless and until a new zoning compliance permit has been obtained.

It was the Consensus of the Board to have a public hearing on Zoning Text Amendment Certificate of Zoning Compliance and Building Permit Requirement in Section 36-579 for Thursday, June 4th at 7pm.

**REQUEST FOR A PUBLIC HEARING: ZONING TEXT AMENDMENT,
LANDSCAPING REQUIREMENTS FOR EXISTING DEVELOPED PROPERTIES**

Planner Kathy Blake informed the Board that staff is requesting a public hearing date to delete Section 36-440 Existing developed properties and to amend Section 9-4041.24.2 (after recodification on April 2, 2015, now under Section 36-436) affected property by deleting (8) and (9).

1. Section 36-440 Existing developed properties

a. Nonresidential properties which were existing and developed prior to the effective date of the article making improvements expansions, renovations or repairs to interior and exterior features greater than 25 percent of the gross floor area or at least one-third of the replacement value, or changes in the type of occupancy are not required to comply with the requirements of this article.

i. This requires renovations smaller than 25% of the gross floor area or less than one-third of the replacement value to comply with landscaping but not larger renovation projects.

b. Existing development is now addressed in the text adopted February 5, 2015 in **Section 9-4041.24.2 (now in Section 36-436) Affected property, (b) Renovation to existing development.**

Any "change of use" as defined by the state building code or if total renovations to an existing development within a five-year period enlarge the total footprint twenty-five (25) percent or more, then the parking area for such development shall be required to comply with the minimum requirements set forth herein to the fullest extent technically feasible as determined by the permit-issuing authority.

2. Section 9-4041.24.2 (now in Section 36-436) Affected property, Development exempt from approval

MINUTES CONTINUED FROM MAY 7, 2015

- a. **(8) Proposed (land) use.** The intended or anticipated use of the property once the certificate of occupancy is issued.
 - i. This statement appears to not be pertinent for the Town of Erwin.
- b. **(9) Existing (land) use.** The legal or permitted use of the land according to the city zoning ordinance.
 - i. This statement appears to not be pertinent for the Town of Erwin.

It was the Consensus of the Board to have a public hearing on Zoning Text Amendment Landscaping Requirements for Existing Developed Properties for Thursday, June 4th at 7pm.

EAST ERWIN DRAINAGE IMPROVEMENTS UPDATE

Town Engineer Bill Dreitzler came forward along with Tyrus Clayton of Draper Ayden Associates to update the Board that we are getting ready to go to construction in this first phase. What was looked at initially was crossing River Drive and crossing Burton Ave and ditches in between Maye and Burton and Maye and River had been the project. With the design that Tyrus has looked at, where we would like to head with this now is actually do the culvert replacement at River Drive, Burton Street and Maye Street and hold off improvements to the ditches in between culvert in those areas to basically monitor whether or not we make enough of an impact with the culvert replacements that we don't need to widen those ditches. Would be a small amount of construction easement required from some property owners. Mr. Clayton is preparing those graphics so we can knock on the doors and talk with the property owners about the temporary construction easements.

Mr. Clayton advised the Board that we could have bid documents ready to go out in 2 weeks. We need to obtain those easements first. Once we send it out for bid, suggest in leaving it out for 5-6 weeks to give the contractors time to look at this to gain as much interest as we can. It will then require board approval to move forward. A suggestion was made to bid out as 3 separate bid documents.

Hopefully to bring bids to the Board in July.

Estimation for this project is around \$50,000 to \$100,000 and may use Powell bill money for some of this project and will look at grants for this project as well.

STORM WATER UTILITY RECOMMENDATION

Town Manager Richard Douglas informed the Board as discussed at the Board of Commissioners February planning session, staff is recommending the implementation of a storm water utility to better address our storm water management issues and provide a funding source. Attached for your review and consideration are a draft resolution and policy establishing a storm water utility, based on the City of Washington's program. Staff

MINUTES CONTINUED FROM MAY 7, 2015

recommends a \$4 monthly customer fee for all utility accounts, regardless of the type of use (residential, commercial, etc.), size of lot, and amount of impervious surface, which would generate approximately \$90,000 per year for storm water maintenance. This revenue would cover a large portion of storm water management costs, including two dedicated employees, fuel, and materials. Staff recommends implementation of the \$4 storm water utility fee effective July 1, 2015.

It was the Consensus of the Board to discuss the Storm Water Utility Recommendation at a Workshop.

2015-2016 BUDGET MESSAGE

Town Manager Richard Douglas informed the Board that the budget message has been presented along with the worksheet with personnel changes and worksheets for all the revenues and expenditures and on the expenditures you will see what was budgeted this year last year and what the departments have spent so far for the year and what the department heads have requested and what is recommending from manager. This has been a long process to get to this point.

Mr. Douglas then read the budget message to the Board.

Commissioner Ballard asked the Manager how many new hires are being proposed in the new budget. Mr. Douglas stated as far as full time (1) Storm Water Utility and (1) Park and Recreation.

Commissioner Ballard then asked the Manager how many for salary grade changes. Mr. Douglas stated (1) Administration Finance Director and (1) Street Crew Leader.

It was Consensus of the Board to schedule a Workshop for Thursday, May 14, 2015 at 3pm.

CONTRACT WITH HARNETT COUNTY ON COMPUTER SUPPORT SERVICES

The Board expressed concern with some of the wording in the upcoming contract with Harnett County Computer Support Services. Main focus was on paragraph (2) & (3). In paragraph 2 it states that the County shall perform computer support services on an as needed basis as requested by the Town, not to exceed 50 hours per month. In paragraph 3 it states that Compensation for the computer support services shall be \$3500 for a 50 hour block of time at \$70/hour plus reimbursement of directly incurred out of pocket expenses including annual firewall support fees.

Would like clarification from the County and bring back before the Board for approval.

MINUTES CONTINUED FROM MAY 7, 2015

PUBLIC COMMENT

Chris Black a local business owner in Erwin called Icon Pro located on North 13th Street came forward and addressed the Board. Mr. Black stated that he acquired the business from his family in 2012 from his grandfather Leon Fowler. Mr. Fowler opened Carolina Truck in 2006 and has continued the family business and has expanded it. It has become something a lot bigger than we could have imagined in the short period of time Mr. Black has been there. Going from 0 to 6 employees in 18 months is pretty amazing.

The Town of Erwin holds a deed to a structure that sits on Mr. Black's property that we lease. Two years ago we, myself and grandfather help obtain the deed. At that point tentative plans were supposedly to have the building removed from the property to be placed behind the Erwin Fire Department as a museum. The question is, why hasn't the building been moved. In attempt to purchase the property that Mr. Black leases at this time, the bank came in and reevaluated the property. Because the Town of Erwin holds the deed, I'm not allowed to go with my plans for renovation in purchasing the property because Erwin sits on the property Mr. Black is trying to buy.

Mr. Black has decided to charge rent to the Town of Erwin until the structure is moved. The choice was not made to show any disrespect toward you however would like the city makers to hold true to their promises and this issue may not seem small to you but it is to us. It's holding us back, the ideas and dreams that we have for our business can't be accomplished at this time. If this issue is not resolved, this will affect my employees. Mr. Black stated he is looking at the Town to resolve the issue in a timely matter so we may proceed with our plans for the renovations in purchasing this property. Mr. Black also made it known that prior to coming here this evening, Mr. Black was in a meeting in Fayetteville and are in plans with talking with Cumberland County property owners about moving our business there because we feel like we are going nowhere here right now.

GOVERNING BOARD COMMENTS

Commissioner Blackmon informed the Park Director that he had talked with Dana and she is willing to talk with us. Once she got some of her surveys out that we would sit down and talk with her to discuss some of the property where the ball field backs up to her property. Would give her a couple of weeks.

May Carson informed everyone that on Wednesday, May 27th at 10am the Class of 1964 has donated a bench to the Town of Erwin at the corner of East H. Street and South 13th Street.

Commissioner Baker informed everyone that we had a good National Day of Prayer and really enjoyed it with a room full and good food.

Commissioner Turnage asked charging the people of Erwin for a service that they are not getting. We discussed this 2 years ago, charging \$3 for a city tag.

MINUTES CONTINUED FROM MAY 7, 2015

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 10pm and was seconded by Commissioner Ballard. **Motion Unanimously Approved.**

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

Patsy M. Carson
Mayor

Cynthia B. Patterson, CMC
Town Clerk