

**ERWIN BOARD OF COMMISSIONERS
SPECIAL CALLED MINUTES
TUESDAY JULY 23, 2009
ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held a Special Called Meeting in the Town Hall on Thursday, July 23, 2009 at 6 P.M. in Erwin, N.C.

Board members present were Commissioners Norma Ennis, Randy Baker, William Corbett, Michael West and Frank Taylor.

Board member absent was Commissioner Mark Whitman

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

Commissioner Frank Taylor gave the invocation.

Those present recited the Pledge of Allegiance.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Commissioner Taylor made a motion to add Item 6B Closed Session G.S. 143-318.11 A 6 for personnel issue and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

Commissioner Ennis made a motion to approve the agenda as amended and was seconded by Commissioner West. The Board voted 5 for and 1 absent (Commissioner Whitman).

PUBLIC HEARING

**TEXT AMENDMENT – EXPANDING ON THE LANGUAGE FOR CONDITIONAL
USE TABLE OF USES WITHIN THE C-B DISTRICT TABLE OF USES**

Commissioner Ennis made a motion to go into a Public Hearing at 6:02 P.M. and was seconded by Commissioner Taylor. The Board voted 5 for and 1 absent (Commissioner Whitman).

Mayor Patsy Carson requested that anyone in favor of Text Amendment - Expanding on the language for conditional use table of uses within the C-B District table of uses to take the oath and then state name and address for the record prior to beginning presentation of statement.

Brent Adams of 1602 Lakeshore Drive, Dunn, came forward and took oath. Mr. Adams thanked the Board for the special meeting and stated that Mr. Eric Bethea intends to open a car wash on the corner of Denim Drive and South 13th Street. Mr. Adams informed the Board that Mr. Bethea is a very well respected citizen of Dunn and a much respected civic leader. Mr. Bethea will bring a lot of business to the Erwin area.

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Eric Bethea of 216 Winterlocking Drive, Dunn, came forward and took oath. Mr. Bethea also thanked the Board for holding this special meeting. Mr. Bethea stated that he is a very professional businessman and will run the business that the Town of Erwin will be proud of.

Mayor Carson requested that anyone against Text Amendment - Expanding on the language for conditional use table of uses within the C-B District table of uses to take the oath and then state name and address for the record prior to beginning presentation of statement.

No-one came forward.

Commissioner Baker made a motion to close the Public Hearing at 6:15 P.M. and was seconded by Commissioner Ennis. The Board voted 5 for and 1 absent (Commissioner Whitman).

PUBLIC HEARING**TEXT AMENDMENT – ADDING “SERVICE STATION AND OTHER AUTO ORIENTED BUSINESS ESTABLISHMENTS” TO THE PERMITTED USES IN THE C-B DISTRICT AND STRIKING “SERVICE STATIONS AND SERVICE GARAGES: FROM THE CONDITIONAL USES TABLE OF USES IN THE C-B DISTRICT**

Commissioner Baker made a motion to go into public hearing at 6:16 P.M. and was seconded by Commissioner Taylor. The Board voted 5 for and 1 absent (Commissioner Whitman).

Mayor Patsy Carson requested that anyone in favor of Text Amendment - Adding “Service station and other auto oriented business establishments” to the Permitted Uses in the C-B District and striking “Service stations and service garages” from the Conditional Use Table of Uses in the C-B District to take the oath and then state name and address for the record prior to beginning presentation of statement.

No one came forward

Mayor Patsy Carson requested that anyone against Text Amendment - Adding “Service station and other auto oriented business establishments” to the Permitted Uses in the C-B District and striking “Service stations and service garages” from the Conditional Use Table of Uses in the C-B District to take the oath and then state name and address for the record prior to beginning presentation of statement.

No one came forward

MINUTES FOR JULY 23, 2009 CONTINUED

Commissioner Taylor made a motion to close public hearing at 6:17 P.M. and was seconded by Commissioner Ennis. The Board voted 5 for and 1 absent (Commissioner Whitman).

PUBLIC HEARING**CONDITIONAL USE PERMIT APPLICATION – ERIC BETHEA – 100 DENIM DRIVE – CAR WASH**

Commissioner Baker made a motion to go into public hearing at 6:17 P.M. and was seconded by Commissioner Ennis. The Board voted 5 for and 1 absent (Commissioner Whitman).

Mayor Carson requested that anyone in favor of Conditional Use Permit application – Eric Bethea – 100 Denim Drive – Car Wash to take the oath and then state name and address for the record prior to beginning presentation of statement.

No one came forward

Mayor Carson requested that anyone against Conditional Use Permit application – Eric Bethea – 100 Denim Drive – Car Wash to take the oath and then state name and address for the record prior to beginning presentation of statement.

No one came forward

Commissioner Ennis made a motion to close public hearing at 6:18 P.M. and was seconded by Commissioner Taylor. The Board voted 5 for and 1 absent (Commissioner Whitman).

OLD BUSINESS**PARKS AND RECREATION PART I IMPROVEMENT PROJECT BID AWARD**

Town Manager Bryan Thompson stated that if it pleases the Board we could go ahead and move forward with the bid award. Some concession will have to be made and the proposals of those concessions have been given and are as followed:

New drinking fountains (org. est. 2 x \$2,500)
Message Center (org. est. 4 x \$889 = \$3,554)
Entry Sign (est. \$1k - \$3k)
Permanent signage (org. est. \$4,200)
Skate Park Equipment (design calls for \$60k)
New bleachers (org. est. 4 x \$2,400)
\$3,000 Island in parking lot for entry sign

MINUTES FOR JULY 23, 2009 CONTINUED

It was also mention to move forward as proposed with the soccer field and island in parking lot for entry sign.

Commissioner Baker made a motion to accept the Bid from ST Wooten and award the bid with the provisions as stated and was seconded by Commissioner Ennis. The Board voted 5 for and 1 absent (Commissioner Whitman).

HARNETT COUNTY/ERWIN INSPECTIONS SERVICE AGREEMENT

Town Manager Bryan Thompson presented the Board with a new draft agreement. There is only one addition in this new draft. In Section 5, there are a number of words that were included on page 3, and it states "except for those acts caused by the sole negligence of County".

Town Manager Bryan Thompson informed the Board that someone from Central Permitting will be coming to our office to train two (2) of our employees. The Harnett County Planning Dept. will be installing software here at Town Hall so it will bridge that gap between Lillington and Erwin so if a customer comes in at Town Hall for building permits that our staff will be able to assist them so there will be no delay.

Commissioner Baker made a motion to approve the Harnett County/Erwin Inspections Service Agreement and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

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NEW BUSINESS**CONSIDERATION OF TEXT AMENDMENT – EXPANDING ON THE LANGUAGE FOR CONDITIONAL USE TABLE OF USES WITHIN THE C-B DISTRICT TABLE OF USES**

Town Manager Bryan Thompson reinstated that each of these items are all centered around the same issue but with different regards. The first text amendment is asking to simply expand the language that is currently found in the conditional use section of the central business district. The current language states "service station and service garages", those are two (2) specific uses. Both of those uses are defined in the definition section of the Town's zoning ordinance.

There are two (2) ways that the car wash can be established at this particular indication. It would take other a combination of the approval of Item A, which is the first text amendment and the approval of Item C, which is the conditional permit application or just simply the approval of Item B, which is the second text amendment.

Commissioner Baker made a motion to grant the First Text Amendment under Central Business District under Conditional Use to strike the words "Service Garage" and add other

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auto oriented business establishments and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

CONSIDERATION OF TEXT AMENDMENT – ADDING “SERVICE STATION AND OTHER AUTO ORIENTED BUSINESS ESTABLISHMENTS” TO THE PERMITTED USES IN THE C-B DISTRICT AND STRIKING “SERVICE STATIONS AND SERVICE GARAGES” FROM THE CONDITIONAL USE TABLE OF USES IN THE C-B DISTRICT

Commissioner Baker made a motion to leave the text as it was written, to leave as a Conditional Use within the Central Business and not as a Permitted Use and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION – ERIC BETHEA – 100 DENIM DRIVE – CAR WASH

Commissioner Baker made a motion to grant the Conditional Use Approval for the Car Wash to be located at 100 Denim Drive and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

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CLOSED SESSION

Commissioner Baker made a motion to go into Closed Session G. S. 143-318.11 A 6 for Personnel Issue at 6:50 P.M. and was seconded by Commissioner Taylor. The Board voted 5 for and 1 absent (Commissioner Whitman).

MINUTES FOR JULY 23, 2009 CONTINUED**RECONVENE**

Commissioner Baker made a motion to reconvene at 7:28 P.M. and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

ADJOURNMENT

Commissioner Ennis made a motion to adjourn at 7:28 P.M. and was seconded by Commissioner Corbett. The Board voted 5 for and 1 absent (Commissioner Whitman).

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

Mayor Patsy M. Carson

Cynthia B. Patterson, Town Clerk