

**ERWIN BOARD OF COMMISSIONERS
MEETING MINUTES
WORK SESSION
THURSDAY, AUGUST 27, 2009
ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held a Work Session in the Town Hall on Thursday, August 27, 2009 at 5:30 P.M. in Erwin, N.C.

Board members present were Commissioners Norma Ennis, Mark Whitman, and William Corbett.

Board members absent were: Commissioners Frank Taylor, Randy Baker, and Michael West.

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

Mayor Patsy Carson called the meeting to order at 5:30 P.M.

Commissioner Norma Ennis gave the invocation.

Those present recited the Pledge of Allegiance.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Commissioner Ennis made a motion to approve the agenda and was seconded by Commissioner Mark Whitman. The Board voted 3 for and 3 absent (Baker, West, and Taylor).

OLD BUSINESS

GUIDELINES FOR APPOINTED BOARDS

Town Manager Bryan Thompson informed the Board that the guidelines were presented at the last Board of Commissioners Meeting and was tabled for expressed concerns over one if not more provisions. This document the Board can add, delete, or edit and can be presented at the next Regular Scheduled Board of Commissioners meeting in its finalized state.

Commissioner Corbett informed the Board that we as a Board has dealt with this issue long enough. The Board has put a person on a committee that didn't want to be on that particular committee, we failed to reappoint two people on a committee that have been on committees and I think it's time to finalize this issue and go on to more important things to do as a Board than to hassle over Board appoints and guidelines.

Mayor Carson also agreed with Commissioner Corbett that the Board needs to put this issue to rest. Mayor Carson's concern was to delete the background checks and instead of three references add "Why do they want to be on that particular board?" Mayor Carson went on to say if an alternate on a board has attended well and has come to the meetings and there is a board member vacancy that they definitely should be able to step up into that seat.

MINTUES OF AUGUST 27, 2009 CONTINUED

Commissioner Whitman made a motion to approve the Appointment Board Guidelines excluding Item 5 and include a space to explain why the applicant would like to be on a particular board and was seconded by Commissioner Ennis. The Board voted 3 for and 3 absent (Baker, West, and Taylor).

NEW BUSINESS**CONSIDERATION OF AMERICAN TOWERS, INC. LEASE TRANSFER FROM T-MOBILE SOUTH LLC**

Town Manager Bryan Thompson informed the Board that T-Mobile is seeking to transfer the lease agreement held between the Town and T-Mobile to American Towers. This company is based in Boston, Massachusetts and operates as a subsidiary of American Tower Corp. The group's principal activity is leasing antenna space on multi-tenant communication towers to wireless and broadcast companies.

Commissioner Ennis made a motion to accept the lease transfer from T-Mobile South LLC to American Towers, Inc. and was seconded by Commissioner Whitman. The Board voted 3 for and 3 absent (Baker, West, and Taylor).

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**CONSIDERATION FOR BOARD OF COMMISSIONERS REGULAR MEETING
SCHEDULE AMENDMENT**

Town Manager Bryan Thompson informed the Board that Mayor Carson has been accepted into the next class of Leadership North Carolina. In review of the schedule for this program it appears that several of the dates requiring Mayor Carson's presence for Leadership North Carolina are in conflict with the scheduled meeting dates of the Erwin Board of Commissioners Regular Meeting. Those dates are as follows: November 5th, December 3rd, no meeting in January, February 4th, and March 4th of 2010.

Commissioner Whitman made a motion to change the Regular Schedule Meeting from Nov. 2009 to March 2010 to the second Thursday of the month and was seconded by Commissioner Corbett. The Board voted 3 for and 3 absent (Baker, West, and Taylor).

Commissioner Randy Baker present at 5:57 P.M.

MINTUES OF AUGUST 27, 2009 CONTINUED**REPUBLIC WASTE: OPTION FOR SINGLE SERVICE OPERATIONS REGARDING TRASH CAN OWNERSHIP AND INVENTORY**

Town Manager Bryan Thompson informed the Board that staff has been exploring a number of possibilities that may enable the Town to provide solid waste collection services in such a way that will tend to increase equitability and effectiveness. The first relates to Republic Waste charging the Town for only those cans that are being used as apposed to a fixed number. The fixed number does not accurately reflect the number of cans that are on the ground in the Town. The Town is potentially being charged more than what it receives due to a fixed number that is higher than actual use.

Mr. Thompson stated to resolve this matter; an inventory will need to be done by the Town. Once the Town has conducted its inventory, Republic Waste will also have to conduct an inventory to verify the results of the Town. Once the inventory is accepted on both sides, then the Town will be in a position of receiving a bill from Republic Waste that is accurate with the number of cans being used. The end result making sure that the Town is being billed properly, and allowing individuals to not receive or pay for the service if they so choose.

Mr. Thompson informed the Board that another item of discussion relates to the ownership/transfer of trash can inventory. Republic Waste is in the process of preparing a proposal to take over the inventory of town-owned trash cans.

Commissioner Baker stated he did not feel people should be charged for services that they are not using. However, Commissioner Baker stated there should be a way to calculate where it is fair to the citizens and the Town, on repair cost for an example, if the Town was running into a problem where Republic Waste was tearing up the containers; it should be in the contract that Republic Waste would reimburse the Town for the repairs. Commissioner Baker also stated that with the containers it is an asset to the citizens and if the Town sells that asset when the money runs out what the Town gained in this then the rates will imply substantially. If it is financially feasible for the Town to keep the cans then the Town is acting on the best interest of the citizens in having the leverage of bargaining when the Town bids out the contracts.

It was with the consent of the Board to do an inventory of the containers.

W.N. PORTER PARK RESTROOM FACILITY

Town Manager Bryan Thompson informed the Board that the park restrooms and steering committee go hand and hand however; they were separated on the agenda because they are somewhat distinct in nature. It has been discussed in putting a restroom at Porter Park whenever the Town passed the budget and a project ordinance would be implemented. In order to proceed with this intent, the staff needs direction from the Board as to how this matter

MINTUES OF AUGUST 27, 2009 CONTINUED

should be addressed. Allan Autry is in the process of obtaining a number of possible designs and plans for this facility.

The primary purpose is should the Town move forward with this issue or should the Town hold off. This is where the next item comes into play. The steering committee, what is its function and how is the restroom fall into that function. It was the understanding of the steering committee when they first met that they would do a comprehensive plan to decide what elements and where those elements should be located. It was presented at the last steering committee meeting that maybe they were off course with the direction the steering committee was going that it needed to go ahead and install the restroom and plan the park around the restrooms. That obviously caused some confusion. Has the steering committee been approaching this in a matter that this Board has given its charge to pursue or has the steering committee gone astray and should the steering committee step back plan the restroom and then work on the comprehensive plan? This is why the steering committee is asking for clarification.

Commissioner Ennis stated that it was her impression that the Town was going to build a restroom facility at Porter Park and also agrees that there should be a restroom however what is the long term plan? Mr. Thompson replied that the committee at this point has identified that they do not want any large impact type facilities at Porter Park, for instance, heavy structures or gymnasium. They would like to maintain the nature characteristics appeal that Porter Park offers as opposed to the other park which does not offer the same type of appeal.

Commissioner Whitman stated as to how we go to from putting a restroom at Porter Park to putting in walking trails and lighting. This is all fine but we need to install restrooms and then work from that. The Town has budgeted money for this purpose.

Commissioner Baker asked where would the money come from. Mr. Thompson stated it would come from Fund Balance.

Commissioner Corbett has talked with various people from other towns of our size and even larger and they only have one main park. Porter Park can only do but so much and they need restrooms. The steering committee needs to create a design and get started.

Commissioner Taylor and Commissioner West present at 6:40 P.M.

It was the Consent of the Board to move ahead with the restrooms at Porter Park, get designs and look at possibly grant funding as well.

HIGHWAY 421 LIGHTS: THIRD PHASE

Town Manager Bryan Thompson informed the Board that it was discussed during the last fiscal year to install lighting on Hwy 421 from Redhill Church Road to the end of the city limits. Staff is asking direction from the Board in whether to pursue this project.

MINTUES OF AUGUST 27, 2009 CONTINUED

Mayor Carson asked what would be the cost for the third phase. Mr. Thompson explained that the monthly charges would be around \$1300 a month.

It was the Consent of the Board to hold off with this project now and explore options for next year.

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**DEPARTMENT OF TRANSPORTATION ROAD IMPROVEMENT/DEVELOPMENT
PLAN: REVIEW AND RECOMMENDATIONS**

Town Manager Bryan Thompson informed the Board that the Town along with the other Harnett County Jurisdictions has been working with DOT and the Council of Government to develop a revised Transportation Improvement Plan. Part of the purpose for these meetings is to update the TIP and other focuses have on preparing data that will demonstrate needs by the year 2035 which will result in further recommendations for the TIP.

The Board was in agreement that this particular proposal would be harmful to the Town of Erwin.

It was the consent of the Board in suggesting if talking about a by-pass to put one at Food Lion Warehouse and Edgerton Industrial Park right off of I-95 and bring it around the back side of Erwin and come up, you will be lessening the over crowding that is on Hwy 421 now. By doing this, the Town of Erwin would have the potential to annex 25-30 years from now.

Mr. Thompson informed the Board that he will present these concerns at the next meeting with DOT and the Council of Government.

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**CONSIDERATION OF DEPARTMENT OF TRANSPORTATION STORM DEBRIS
REMOVAL MEMORANDUM OF AGREEMENT**

Town Manager Bryan Thompson informed the Board that this contract was considered by the Board some time ago. Mac Hunter has reviewed the contract and has found no issue with its content. This agreement will not require future annual renewals.

Commissioner Baker made a motion to approve the Department of Transportation Storm Debris Removal Memorandum of Agreement and was seconded by Commissioner Whitman. The Board voted unanimously.

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MINTUES OF AUGUST 27, 2009 CONTINUED**CONSIDERATION OF FUND BALANCE APPROPRIATION FOR OPERATING EXPENSES**

Town Manager Bryan Thompson informed the Board that the Town has two accounts that are designated for operational expenses and where operational revenues are received. These accounts include Checking and Cash Management. Throughout the year the Town receives a number of different types of revenues. Some of these revenues are designated to be deposited directly to the checking account and the others are designated to be deposited directly to the cash management account. It is not until later in the year that cash management is drawn down to cover operating expenses. The bulk of the funds realized in the checking account are those generated through property tax payments.

The intentions are to replace Fund Balance when the money comes in.

Commissioner Baker made a motion to authorize the transfer of \$359,566.66 from Fund Balance to Operating Budget with the stipulation that these funds will be replenished back into the Fund Balance as funds come available and was seconded by Commissioner Whitman. The Board voted unanimously.

Mayor Carson asked Town Manager Bryan Thompson if he would look into the best way to do funding for the restrooms at Porter Park and see if any grants are available.

Commissioner Taylor asked Town Manager Bryan Thompson would the Staff check into a grass problem at the following addresses:

306 West K. Street
Two (2) empty lots on North 14th Street

Town Manager Bryan Thompson announced that the Town of Erwin has a new Police Chief Warren M. Morrisette, Jr. Mr. Morrisette's first day is September 21, 2009. Mr. Thompson would like to have a meet and greet for Mr. Morrisette before his first day.

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ADJOURNMENT

Commissioner Whitman made a motion to adjourn at 8:05 P.M. and was seconded by Commissioner Ennis. The Board voted unanimously.

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

Patsy Carson, Mayor

Cynthia B. Patterson, Town Clerk