

ERWIN BOARD OF COMMISSIONERS
REGULAR MINUTES
MARCH 2, 2017
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Pro Tem Randy Baker presiding, held its Regular Meeting in the Town Hall on Thursday, March 2, 2017 at 7:00 P. M. in Erwin, North Carolina.

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

Board Members absent were: Mayor Patsy Carson and Commissioner Frankie Ballard.

Interim Town Manager Richard Hicks, Asst. Town Manager/Planner Snow Bowden and Town Clerk Cynthia Patterson were present.

Town Attorney Mac Hunter was present.

Mayor Pro Tem Randy Baker 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 Blackmon made a motion to approve the agenda as is and was seconded by Commissioner Turnage. **The Board voted unanimously.**

CONSENT ITEMS

Commissioner Turnage made a motion to approve **(Item A)** Approval of Regular Minutes of 02/02/17 and **(Item B)** Financial Report Summary for January 2017 and **(Item C)** Budget Amendment BOA 2017-005 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

A copy of the January 2017 Financial Report Summary and Budget Amendment BOA 2017-005 is incorporated into these minutes as Attachment #1

MINUTES CONTINUED FROM MARCH 2, 2017

PUBLIC HEARING

Commissioner Turnage made a motion to go into a public hearing at 7:02pm and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

REPLACE EXISTING TRAILER WITH A CLASS A MANUFACTURED HOME AT 114 ALLEN DRIVE (HC PIN# 0597-78-8523.000)

Asst. Town Manager/Planner Snow Bowden informed the Board that the property owner at 114 Allen Drive wants to replace their existing mobile home with a Class A Manufactured Home. The current structure that is on this property is in bad shape, and it needs to be replaced. This Conditional Use Permit was presented at the October Planning Board meeting, and after some discussion about the property setbacks, it was decided that the applicant needed to have the two lots surrounding the property recombined into one lot. The Planning Board decided to table this decision until the necessary changes were made.

At the February Planning Board meeting, this permit application was tabled due to concerns with the recent survey by the property owners on both sides of 114 Allen Drive. We decided to have the public hearing for this property because we had already advertised the hearing in the newspaper and the mail due to the quick turnaround from the Planning Board meeting to the Town Board meeting.

Mr. Bowden also informed the board that originally this property was divided into (4) lots and the GIS showed only (3) lots. The property owner had these lots recombined into (1) lot in order to meet all the setbacks in the zoning district.

Mayor Pro Tem/Commissioner Baker asked since this was a recombination would this change the current pin number. Mr. Bowden stated that it was signed off this week so there may be a possibility. Town Attorney Mac Hunter informed the board that you can go ahead and take action on this matter stating the address. May have recombined this property under the same pin number.

Mr. Bowden also informed the board that at the planning board meeting this item was tabled. The reason staff continued to move forward with this item, it was advertised due to a tight turn around and this has been pending since October of 2016. Both neighbors wanted another survey done due to the fact that the property line was so close to one of the neighbor's house. However the surveyor that did the survey to this property is certified by the State of NC.

Commissioner Turnage informed the board that this change would be a great asset to this property and neighborhood. He feels like the Town has delayed this for too long and should move forward so the property owner can have a new home.

MINUTES CONTINUED FROM MARCH 2, 2017

Commissioner Blackmon asked why this was brought back through the conditional use process. If it's nonconforming, which it obviously is, then the nonconforming ordinance allows for them to replace it. They would had applied for an application to the board for a site plan showing where it is and that new encroachment that this board approves. There is no public hearing. The fee would have been the same but the process should not have been done this way.

Mr. Bowden stated that this was an honest mistake by him.

Mayor Pro Tem/Commissioner Baker ask if anyone would like to come forward and speak in favor of this conditional use permit.

Thurman McNeill of 114 Allen Drive came forward and stated the oath. Mr. McNeill informed the board that he was the homeowner of 114 Allen Drive. He is wishing to place a Class A Manufactured Home on this property. The older home that is currently on this property will be removed and will no longer be on this property.

Mayor Pro Tem/Commissioner Baker asked if anyone would like to come forward and speak against this conditional use permit.

No one came forward.

Commissioner Turnage made a motion to close the public hearing at 7:13pm and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Asst. Town Manager/Planner Snow Bowden reiterated that the Planning Board did table this conditional use permit and have not made a recommendation on this.

Mayor Pro Tem/Commissioner Baker informed the board that he felt like with the requirements met and in reading the planning board minutes understands why the planning board wanted to use caution with the lots like they were. However staff has properly advertised this conditional use request, we could proceed with this ruling.

The Board then went through the Findings of Facts

1. Commissioner Turnage made a motion that the use requested is listed among the conditional uses in the district for which application is made for the reason Section 36-174.7 list the Class A Manufactured Home as a conditional use in R-6 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**
2. Commissioner Turnage made a motion that the requested use is essential or desirable to the public convenience or welfare for the reason that the proposed use is essential providing housing needs from the general public and was seconded by Commissioner Whitman. **The Board voted unanimously.**

MINUTES CONTINUED FROM MARCH 2, 2017

3. Commissioner Turnage made a motion that 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 for the reason that the requested use provides single family dwelling that is similar in character to the surrounding areas and was seconded by Commissioner McKoy. **The Board voted unanimously.**
4. Commissioner Turnage made a motion that the requested use will be in conformity with the Land Development Plan for the reason that the site located will be intensity land use classification area that will call for a mixed use that will include residential and was seconded by Commissioner McKoy. **The Board voted unanimously.**
5. Commissioner Turnage made a motion that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided for the reason that the site is located on an improved lot that is currently providing adequate utilities, access roads, drainage, sanitation and other necessary facilities and was seconded by Commissioner McKoy. **The Board voted unanimously.**
6. Commissioner Turnage made a motion 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 for the reason that the site is served by an existing driveway with dedicated public streets and was seconded by Commissioner McKoy. **The Board voted unanimously.**
7. Commissioner Turnage made a motion 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 and approve the Conditional Use Application that all regulatory requirement of the district are met and all provision of the ordinance are complied with prior approval uses of Certificate of Properties and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner Turnage made a motion that the proposed conditional use application meets all Findings of Facts in the affirmative and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner Turnage made a motion that the proposed amendment is consistent with the documents that constitute the official adopted Land Use Plan and other applications and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner Turnage made a motion to approve the Conditional Use Application with the following conditions of CU2016-06. Approve the Conditional Use Application provided that all regulatory requirements for the district are met and provisions of the ordinance are compiled prior to the issue of Certificate of Occupancy and was seconded by Commissioner McKoy. **The Board voted unanimously.**

A copy of the Conditional Use Application, GIS Map is incorporated into these minutes as Attachment #2

MINUTES CONTINUED FROM MARCH 2, 2017

NEW BUSINESS

2017-2018 STREET RESURFACING

Town Engineer Bill Dreitzler came forward and informed the board that this is a continuation of the use of the Street Resurfacing Survey that was done back in 2013. This is how the proposed list of streets were generated and recommended.

1. Woodall Street (730 LF) - Estimated Cost \$21,900
2. Cindy Court (350 LF) - Estimated Cost \$10,500
3. Marsha Court (370 LF) - Estimated Cost \$11,100
4. S 16 (West A to West B and Park Entrance) (525 LF) - Estimated Cost \$15,750
5. S 12th (E C to E D) (325 LF) - Estimated Cost \$10,000
6. W E (18th to 19th) (1200 LF) - Estimated Cost \$50,000

Total cost for the above repairs is around \$120,000. In addition to the streets listed above for re-surfacing, the project will include the repair of pot hole locations to the extent the budget will allow. Pothole repairs will be negotiated as additional services with the selected contractor.

MANAGER'S REPORT

- The guardian of DR Thomas would like to move forward in signing over the property to the Town of Erwin located on North 14th Street. Staff will make sure there is no liens on the property.
- The trailer on Chicora Drive has been removed

GOVERNING BOARD COMMENTS

Commissioner Turnage thanked Staff for doing a good job in cleaning up the Town of Erwin.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 7:30pm and was seconded by Commissioner McKoy. **Motion Unanimously Approved.**

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

Randy Baker
Mayor Pro Tem

Cynthia B. Patterson, CMC
Town Clerk



TOWN OF ERWIN

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Mayor
Patsy M. Carson
Mayor Pro Tem
Randy L. Baker
Commissioners
William R. Turnage
Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon
Frankie Ballard

TOWN OF ERWIN PROCLAMATION RECOGNIZING OUTGOING PLANNING/ZONING AND BOARD OF ADJUSTMENTS CHAIRPERSON MR. WILLIAM CORBETT FOR OUTSTANDING SERVICE

2016-2017-004

WHEREAS, The members of the Erwin Town Board make an effort to officially recognize those individuals that serve as citizen volunteers in an effort to serve their community; and,

WHEREAS, Erwin resident Mr. William Corbett served on the Erwin Planning/Zoning and Board of Adjustments for a period of two consecutive terms, extending from March 1, 2012 through April 3, 2017; and,

WHEREAS, Mr. William Corbett was appointed in 2014 Chairperson of the Erwin Planning/Zoning and Board of Adjustments after being selected by fellow Planning/Zoning and Board of Adjustment members; and,

WHEREAS, during his tenure on the Planning/Zoning and Board of Adjustments Mr. Corbett represented the community's interest in exemplary fashion through his leadership, dedication, and ability to remain objective when considering a variety of issues.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Commissioners hereby officially recognizes and commends former Planning/Zoning and Board of Adjustments Chairperson Mr. William Corbett for distinguished service to the citizens of the Town of Erwin and its Extra-Territorial Jurisdiction.

DULY ADOPTED, this the 6th day of April, 2017.

Patsy Carson
Mayor

Cynthia Patterson, CMC
Town Clerk