**Town of Haw River**

**Town Council Meeting**

**Monday, May 6, 2013**

The Town Council of the Town of Haw River held its Town Council Meeting on Monday, **May 6**, 2013 in the Haw River Municipal Building at 7:00pm.

Council Members Present: Buddy Boggs, Lee Lovette, Jeff Fogleman, Kelly Allen, and Ashley Warren

Council Members Absent: n/a

Also Present: Manager Jeff Earp, Clerk Melanie Hamilton, Attorney Rob Jennings

Mayor Boggs called the meeting to order and gave the invocation at 7:00 pm.

Public Services Director Randall King presented the Council with the first pitch ball from the softball league.

**Public Hearings**

7:02 pm

**The Town Council held a public hearing to discuss the rezoning request of a 12.71 acre portion of property, legally described as Alamance County Tax Map #10-15-15 from R18 to RG. The property is owned by Philip Morgan and is located off Trollingwood Hawfields Road. The rezoning has been requested to facilitate using the land as a Mobile Home Park.**

The Mayor opened the public hearing. Philip Morgan, property owner of Alamance County Tax Map #10-15-15, presented the Council with his request to have a 12.71 portion of his property rezoned from R18 to RG. Mr. Morgan offered that there are natural buffers on 3 sides of this property and that a successful rezoning and approval of a special use permit would allow for a 21 lot expansion of his mobile home park. Mr. Morgan pointed out to the Council that he only has four empty units in his park and his expansion will be comprised of nice doublewide units. The lots in his proposed expansion are larger than required and the mobile home park has not been having issues with unruly tenants.

No other members of the public chose to speak and the Mayor closed the public hearing.

7:10 pm

**The Town Council held a public hearing to discuss a request from property owner Philip Morgan to obtain a Special Use Permit for a mobile home park facility expansion at 649 Trollingwood Hawfields Road, on a 12.71 acre portion of Tax Map #10-15-15.**

The Mayor opened the public hearing and no members of the public chose to speak. The Mayor then closed the public hearing.

**Consent Agenda**

7:11 pm

**The Council reviewed minutes from the March 18, 2013 Special Budget Workshop Meeting, a Resolution supporting the continued funding of the PARTF Grant Program, and a resolution opposing legislation that weakens NC Municipalities.**

Councilmember Allen made a motion to approve the consent agenda. Motion carried 5-0.

**New Business**

7:12 pm

**The Town Council considered a rezoning request of a 12.71 acre portion of property, legally described as Alamance County Tax Map #10-15-15 from R18 to RG. The property is owned by Philip Morgan and is located off Trollingwood Hawfields Road. The rezoning has been requested to facilitate using the land as a Mobile Home Park.**

During brief discussion regarding this rezoning request, Councilmember Allen confirmed that this expansion is for mobile home and not for campers as had been requested previously.

Councilmember Lovette then made a motion to approve rezoning the 12.71 acre portion of Alamance County Tax Map #10-15-15 from R18 to RG. Motion carried 5-0.

**7:13pm**

**The Town Council considered a request from property owner Philip Morgan to obtain a Special Use Permit for a mobile home park facility expansion at 649 Trollingwood Hawfields Road, on a 12.71 acre portion of Tax Map #10-15-15.**

Clerk Hamilton swore in Philip Morgan and Manager Earp in order to enable them to give testimony regarding the requested special use permit.

Manager Earp informed the Council that this special use permit request had been taken before Planning and Zoning Board and they recommend to the Council that this permit be approved.

Mayor Boggs then asked the following questions and received the following answers from Manager Earp and Mr. Morgan.

QUESTIONS ON THE SIX REQUIRED SPECIAL USE PERMIT APPLICATION FINDINGS PURSUANT TO SECTION 155.083

1. In what zoning district is this mobile home park located? – **RG**
2. What activities will be carried out on the premises? – **Residential Mobile Home Park**
3. Are the proposed activities allowed in this zoning district? – **Yes**
4. What building/structures are or will be located on the subject property? - **Mobile Homes** What is their approximated size in square feet? At least 800 square feet? **– Yes**
5. What type of structures will these be? Mobile homes? - **Mobile Homes**

1. Have you reviewed the regulations applicable to zoning district RG, General Residential? **– Yes**
2. What is the lot size for the entire property containing the mobile home park? **– 12.71 acres** Is it at least 8,000 square feet per lot? **– Yes**
3. Is there at least a 15-foot wide buffer strip along the rear and side property lines of the park of densely planted trees and shrubs expected to grow to a height of eight feet? **– Yes**
4. Are there common recreation areas equivalent to 200 square feet for each manufactured home lot? **– Yes**
5. Have you reviewed and complied with the Haw River Mobile Home Park Ordinance? **– Yes**
	1. Does each mobile home lot contain 50 feet of frontage on a driveway? **– Yes**
	2. Is the subject property at least six acres? **– Yes** How big is it? **– 12.71 acres**
	3. Will the new part contain no more than five mobile homes per gross acre? – **will not**
	4. Does the old part contain no more than twelve mobile homes per gross acre? – **does not**
	5. Does each mobile home space contain an interior driveway of at least 20 feet? -  **yes** What is each driveway paved with? -  **crushed stone**
	6. Does each mobile home space have at least two off-drive parking spaces? – **Yes**
	7. Is each such space at least nine feet wide and twenty feet long? **- Yes**
	8. Is each space connected to the water and sewer of Haw River or a private well and septic tank? – **Yes**
	9. Will there be any service buildings? – **No**
6. Have you reviewed and complied with the Alamance County Health Department’s “Rules Regarding the Sanitary Design, Construction, Alteration, Maintenance, Operation and Use of Manufactured Home Parks/Travel Trailer Parks in Alamance County? **– N/A – property will be connected to Haw River sewer and Orange Alamance water**
7. Out of the total project area, how much is going to be open space? – **13,123 sq ft.**
8. How much, if any, of that open space is covered by water? **– None**

1. What materials, if any, will be stored on the premises? **– None**
2. n/a
3. Where is the proposed location of any parking/loading areas? **– Two parking spots in the front of each home**
4. Where are the proposed points of vehicle ingress and egress? **– Bonfire Road and Trollingwood Hawfields Road**
5. What is the proposed pattern of internal circulation, including all drives and walkways? **– Straight road with a T turnaround**
6. What provisions have been made or will be made for utilities? **– Orange Alamance water, Haw River sewer, Duke Energy power, and ATT phone**
7. What provisions have been made or will be made for refuse disposal?- **Centrally located dumpsters to be picked up twice weekly by Republic**
	1. Do you provide a metal garbage can with a tight-fitting lid and a capacity of at least 20 gallons but not more than 27 gallons for each space? **– No**
	2. Will there be any dumpsters? **– Yes**  Where will they be located? **– Centrally located in the mobile home park**
8. What provisions have been or will be made for lighting the property? **– There will be street lights and dusk to dawn lighting on each home**
	1. Is the property lighted at night with electric lamps of no less than 100 watts each, spaced at intervals of no more than 100 feet? **– Yes, it will be**
9. Will there be any planting on the property? **– Yes** What plants will be planted and when? **Shrubbery will be planted as each home is completed**
10. Will any site grading be necessary? **– Yes**  What provisions have been made or will be made for site grading? **– Grading will be done for home placement, one site at a time**
11. Is there a possibility of soil erosion in conjunction with the proposed use? **– Always** What provisions have been made or will be made to control soil erosion on the site? **– Owner will only disturb one site at a time, will mat ditches and blow straw**
12. What signage, if any, will accompany the expanded park? **– Only the existing signage will exist** How big will the signs be? **– n/a**
13. What are the potential hazards to the public health and/or safety that accompany the expansion of this mobile home park? **– None known**
14. What specific provisions have been made to alleviate those hazards? **n/a**
15. What use is being made of each adjoining parcel of land? **– Residential, vacant lots, and mobile home park**
16. How can this expanded mobile home park, if allowed, be expected to affect the value of each adjoining parcel of land? **– none known**
17. n/a
18. What public necessity, if any, will be fulfilled or served by expanding the mobile home park? **– Affordable housing**

1. What is the general character of the area in which the park is located? **– Residential, vacant lots, mobile home park and industrial across Trollingwood Hawfields Road**

Following brief discussion, Councilmember Lovette presented the following motion:

BASED UPON THE EVIDENCE PRESENTED, and pursuant to the Town of Haw River Code of Ordinances Section 155.083, I move that the Town Council make the following FINDINGS OF FACT with regard to the special use permit application made by Philip Morgan regarding his property located on Trollingwood-Hawfields Road legally described as Alamance County Tax Map 10-15-15 in Mebane, NC:

1. That all applicable regulations of the zoning district in which the use is proposed are complied with;
2. That all applicable conditions specified in Section 155.086, Town of Haw River Code of Ordinances, are met for this proposed special use in that:
	1. The applicant is or will be in compliance with the Haw River manufactured Home Parks Ordinance;
	2. The applicant is or will be in compliance with the “Regulations Governing the Sanitary Design, Construction, Alteration, Maintenance, Operation and Use of Manufactured Homes and Manufactured Housing Park in Alamance County” of the Alamance County Board of Health;
	3. A buffer strip at east 15 feet wide exists or will exist along the rear and side property lines of the park of densely planted trees and shrubs expected to grow to a height of eight feet;
	4. The mobile home park provides or will provide common recreation areas at a rate of 200 square feet for each mobile home lot.
3. That the proposed special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted or as modified under the conditions required by the Town Council;
4. That the proposed use is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining property or that the use is a public necessity;
5. That the location and character of the use if developed according to the plan as submitted or as modified under the conditions required by the Town Council will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Town Planning Area; and
6. That satisfactory provision has been made for all of the following that apply in this case: vehicle circulation, parking and loading, service and loading entrances and areas, screening, utilities, signs, lighting, open spaces, site grading, soil erosion and sedimentation control and site damage.

AND, BASED UPON THE FOREGOING FINDINGS OF FACT, I move that the special use permit application made by Philip Morgan regarding his property located on Trollingwood-Hawfields Road legally described as Alamance County Tax Map 10-15-15 in Mebane, North Carolina be APPROVED; Motion carried 5-0.

7:30 pm

**The Town Council considered a request from the Haw River Fire Department to approve updated bylaws.**

Councilmember Fogleman recused himself.

Volunteer Fireman Mark Garner presented the Council with proposed updated bylaws for the Volunteer Fire Department. The current bylaws are over 10 years old. The VFD formed a committee to create the updated bylaws and all changes were voted on by the full department.

The Council then discussed junior firemen, active vs. probationary members, HRVFD meeting minutes, and dismissal procedures as they pertain to potential liability for the Town with Mr. Garner.

After discussion, Councilmember Allen made a motion to approve the updated bylaws for the Town of Haw River Volunteer Fire Department. Motion carried 4-0.

7:41 pm

**The Town Council considered a request from Manager Earp to have authority to make appropriate adjustments, amendments, and transfers to the 2012-2013 budget in order to prepare for year-end closeout.**

After brief discussion, Councilmember Lovette made a motion granting authority to Manager Earp to make adjustments, amendments, and transfers in the 2012-2013 budget in order to prepare for year-end closeout. Motion carried 5-0.

7:42 pm

**The Council reviewed and considered the audit contract for fiscal year ending June 30, 2013 with Winston, Williams, Creech, Evans & Company, LLP.**

Councilmember Fogleman made a motion to approve the contract for the completion of the 2012-2013 audit by Winston, Williams, Creech, Evans & Company, LLP for $15,975. Motion carried 5-0.

7:44 pm

**Manager’s Update**

* Financial Update
* NCDOT has approve $60,000 worth of improvements at the CVS intersection.
* NCDOT will be paving Hwy 70 bypass in the fall.
* Thanks to the Haw River Community Pride Organization and Mr. Charles Belcher for the improvements they recently made in the front of Haw River Elementary School
* Code enforcement has started for grass height violation. Council agreed by consensus to allow the Town to get the foreclosed properties mowed and liens placed.
* The tax & tags program has been delayed until 9/1/13 due to a technology issue.
* Council set a special meeting for presentation of the proposed 2013-2014 budget for 6pm on Thursday May 23, 2013 in Town Hall at 403 E Main Street.
* Public Services Director Randall King gave a brief update on the Armed Forces Day Parade and Day in the Park scheduled to take place on May 18, 2013.
* The sidewalk project has been delayed due to some layout issues around an existing home.

Announcements

* Thanks to Steve Wilson for assisting in the repair of a Town guardrail.
* Thanks to the Community Pride Organization and all who assisted with the recent planting project.
* Thanks to Neal Dickens for his above and beyond service to the Town of Haw River.
* The Community Pride Organization will be having a car show at Lamb’s Chapel on June 15, 2013.

8:00 pm

Councilmember Fogleman made a motion to adjourn. Motion carried 5-0.

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Buddy E. Boggs, Mayor Boggs Melanie R. Hamilton, Clerk