

**McDowell County Planning Board**  
**Regular Meeting**  
**9/22/2014**  
**Minutes**

The McDowell County Planning Board met in regular session on September 22, 2014 at 7pm. The meeting was held at the County Administration Building located at 60, East Court Street, Marion, NC.

**Members Present:**

C.B. Edwards, Chairman  
Dennis Whitson, Vice Chairman  
Tommy Stamey  
Bob Brendle  
Benny Stamey  
Tony Brown

**Members Absent:**

Dan Thornton  
Arvin Hicks  
Sam Dotson

**Staff Present:**

Ronald Harmon, Board Secretary  
Phoenix Buathier, Planning Assistant

**Other Present:**

None

**Call to Order:**

Vice Chairman C.B. Edwards called the meeting to order and announced that a quorum of members was present.

The next item on the agenda was approval of the September meeting agenda. Motion to approve was made by Benny Stamey, second from Dennis Whitson, vote taken motion carried.

The next item on the agenda was approval of the August 25<sup>th</sup> meeting minutes. Motion to approve was made by Benny Stamey, second from Arvin Hicks, vote taken motion carried.

## **Chairman / Vice Chairman Elections**

Vice Chairman Edwards turned the floor over to Ronald Harmon, who explained that with the passing of Chairman Max Boyd the position of Chairman and/or Vice Chairman would need to be filled. Ronald stated that it was up to the board to appoint a new Chairman, either by making the Vice Chairman the Chairman, or by opening up the floor for nomination. Benny Stamey made a motion to appoint Vice Chairman Edwards as Chairman, Arvin Hicks seconded the motion. Ronald asked for any other nominations, no other motions were made and the floor was closed for nominations for Chairman. Ronald called for a vote for the nomination on the floor, vote taken motion carried.

Ronald stated that the next item of business was election of a new Vice Chairman, Ronald turned the floor over to Chairman C.B. Edwards. Chairman Edwards opened up the floor for nominations. Dan Thornton nominated Dennis Whitson, Arvin Hicks nominated Benny Stamey. Mr. Stamey commented that he would prefer Mr. Whitson to be nominated. Arvin Hicks withdrew the nomination for Mr. Stamey. Chairman Edwards stated that a second was needed to nominate Denis Whitson as Vice Chairman. The second was made by Tony Brown, vote taken motion carried.

## **Van Boyd Variance Issue**

Chairman Edwards asked Ronald to explain the next item on the agenda. Ronald stated that Van Boyd had withdrawn his variance request from the previous meeting. Ronald explained that Mr. Boyd no longer needed a variance because he would build his road within the parameters of the Lake James Protection Ordinance.

Ronald stated that he and Phoenix visited Mr. Boyd's property on September 18, 2014. Ronald stated the road entering the peninsula was measured as ninety feet long and ten feet wide. Ronald explained that he spoke with Mr. Boyd about applying for a variance. Ronald said that he suggested to Mr. Boyd to speak to the Hankins Fire Chief regarding the fire code regulations he would have to adhere to. Ronald stated that the rules for road width would all be based on the number of lots Mr. Boyd intended to create. Ronald stated the situation and stipulations were subjective to how many houses Mr. Boyd chooses to build and what standards the Fire Chief at Hankins would accept.

Arvin Hicks asked the width of the road entering the peninsula; Ronald stated it was ten feet wide. Chairman Edwards asked about the regulations imposed by Crescent. Mr. Stamey stated Crescent had set up the regulations. Phoenix stated that in the deed, Crescent had the power to revoke all stipulations previously required by the deed.

Mr. Stamey asked Ronald who owned the boat docks located on the South side of the peninsula. Ronald stated that Mr. Boyd did and that the docks were rentals and open to the general public. Ronald stated that Mr. Boyd had a legitimate variance request for the road leading onto the peninsula. He explained that this was a unique situation on his property that would not be shared by others on the lake and would hamper use and development of the land.

Vice Chairman Whitson brought up the issue of the pathway constructed along the boat dock. Mr. Harmon stated that if it were used for ADA access, he would have to comply with those regulations. Mr. Stamey brought up a concern of trucks using the pathway. Ronald explained that if the Board approved the variance they could attach stipulations regarding the use of the pathway, such as having bollards placed at the entrance to allow only wheel chairs etc. on the path but not vehicular traffic.

### **October Meeting Venue Change**

Ronald explained that early voting would have the Commissioners Boardroom occupied the week of the Board October meeting. He suggested that the Board consider either using the County Managers Boardroom on the first floor, or Ronald could try to secure the Cooperative Extension Boardroom on the second floor. The Board agreed by consensus to utilize the County Managers Boardroom on the first floor for the October meeting.

With no further business or discussion Chairman Edwards asked for a motion to adjourn. Motion to adjourn was made by Benny Stamey, second from Dan Thornton, vote taken meeting was adjourned.